

BOARD FOR JUDICIAL ADMINISTRATION



WASHINGTON
COURTS

MEETING PACKET

**FRIDAY, JANUARY 16, 2009
11:00 A.M.**

**AOC SEATAC OFFICE
SEATAC OFFICE CENTER
18000 INTERNATIONAL BOULEVARD, SUITE 1106
SEATAC, WASHINGTON**

Board for Judicial Administration Membership

VOTING MEMBERS:

Chief Justice Gerry Alexander, Chair
Supreme Court

Judge Vickie Churchill, Member-Chair
Superior Court Judges' Association
Island County Superior Court

Judge Marlin J. Appelwick
Court of Appeals, Division I

Judge Rebecca M. Baker
Superior Court Judges' Association
Ferry/Stevens/Pend Oreille Superior Courts

Judge Ronald Culpepper
Superior Court Judges' Association
Pierce County Superior Court

Judge Sara Derr
District and Municipal Court Judges'
Association
Spokane County District Court

Judge Susan Dubuisson
District and Municipal Court Judges'
Association
Thurston County District Court

Judge Deborah Fleck
Superior Court Judges' Association
King County Superior Court

Judge Michael Lambo
District and Municipal Court Judges'
Association
Kirkland Municipal Court

Judge Marilyn Paja, President
District and Municipal Court Judges'
Association
Kitsap County District Court

Justice Barbara Madsen
Supreme Court

Judge Richard McDermott, President
Superior Court Judges' Association
King County Superior Court

Judge Robert McSeveney
District and Municipal Court Judges'
Association
Kent Municipal Court

Judge Christine J. Quinn-Brintnall
Court of Appeals, Division II

Judge John Schultheis
Court of Appeals, Division III

NON-VOTING MEMBERS:

Judge C.C. Bridgewater, Presiding Chief
Judge
Court of Appeals, Division II

Judge Tari Eitzen, President-Elect
Superior Court Judges' Association
Spokane County Superior Court

Mr. Jeff Hall
State Court Administrator

Mr. Mark Johnson, President
Washington State Bar Association

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Mr. Salvador Mungia, President-Elect
Washington State Bar Association

Judge Glenn Phillips, President-Elect
District and Municipal Court Judges'
Association
Kent Municipal Court

Board for Judicial Administration

January 16, 2009

11:00 a.m.

Temple of Justice – Reception Room
415 12th Avenue SW, Olympia

Schedule

1. Gather for State of the Judiciary Address	Temple of Justice – Chief Justice's Reception Room	11:00 a.m.
2. State of the Judiciary Address	Legislative Building - House Gallery	11:30 a.m.
3. BJA Meeting and Lunch	Temple of Justice – Chief Justice's Reception Room	Following State of the Judiciary Address

Agenda

1. Call to Order	Chief Justice Gerry Alexander Judge Vickie Churchill	
2. Welcome and Introductions	Chief Justice Gerry Alexander Judge Vickie Churchill	
Action Items		
3. December 12, 2008 Meeting Minutes Action: Motion to approve the minutes of the December 12 meeting	Chief Justice Gerry Alexander Judge Vickie Churchill	Tab 1
Reports and Information		
4. Legislator's Guide	Ms. Mellani McAleenan	Tab 2
5. Legislative Update	Ms. Mellani McAleenan	
6. Geographic Information System Report	Ms. Mellani McAleenan	Tab 3
7. Trial Court Coordination Progress Report	Ms. Mellani McAleenan	Tab 4
8. Budget Update	Mr. Jeff Hall	Tab 5
9. Bail Forfeiture	Judge Marilyn Paja	Tab 6 (Materials will be included in meeting packet)
10. COSCA 2008 Midyear Resolutions	Mr. Jeff Hall	Tab 7
11. Legal Financial Obligation Report	Ms. Barb Miner	Tab 8
12. Washington State Bar Association	Mr. Mark Johnson	

- O V E R -

Board for Judicial Administration
January 16, 2009 Meeting Agenda
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13. Reports from the Courts Supreme Court Court of Appeals Superior Courts Courts of Limited Jurisdiction	Justice Barbara Madsen Judge C. C. Bridgewater Judge Richard McDermott Judge Marilyn Paja	
14. Administrative Office of the Courts	Mr. Jeff Hall	
15. Other Business Next meeting: February 20 Beginning at 9:30 a.m. at the Temple of Justice, Olympia	Chief Justice Gerry Alexander Judge Vickie Churchill	

**Board for Judicial Administration
Meeting Minutes**

**December 12, 2008
AOC SeaTac Office
SeaTac, Washington**

Members: Chief Justice Gerry Alexander, Chair; Judge Vickie Churchill, Member-Chair; Judge Marlin Appelwick; Judge C. C. Bridgewater; Judge Sara Derr; Judge Deborah Fleck; Mr. Jeff Hall; Mr. Mark Johnson; Judge Michael Lambo; Ms. Paula Littlewood; Justice Barbara Madsen; Judge Richard McDermott; Judge Robert McSeveney; Judge Marilyn Paja; Judge Glenn Phillips; and Judge Christine Quinn-Brintnall

Guests: Mr. M. Wayne Blair, Ms. Roni Booth, Mr. Ronald Carpenter, Ms. Jeri Cusimano, Ms. Delilah George, Ms. Betty Gould, Ms. Cathy Grindle, Mr. Richard Johnson, Judge Barbara Linde, Ms. Marti Maxwell, Mr. Joe McGuire, Mr. Michael Merringer, Ms. Sharon Paradis, and Ms. Renee Townsley

Staff: Ms. Ashley DeMoss, Ms. Beth Flynn, Mr. Dirk Marler, Ms. Mellani McAleenan, Ms. Regina McDougall, Mr. Chris Ruhl, and Ms. Caroline Tawes

Chief Justice Alexander called the meeting to order.

November 21, 2008 BJA Meeting Minutes

**Judge Appelwick moved and Judge Paja seconded to approve the
November 21, 2008 BJA minutes. The motion carried.**

There being no further business, the meeting was adjourned.

Washington Courts

A LEGISLATOR'S GUIDE TO THE WASHINGTON STATE COURT SYSTEM

ADMINISTRATIVE
OFFICE OF THE COURTS

JANUARY 2009



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2009-11 Biennium Legislative Guide

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Introduction

On behalf of the Washington State Judiciary, we congratulate you on your recent election to the Washington State Legislature.

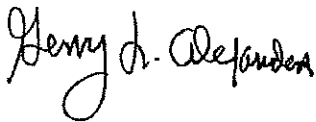
This Guide to the Washington State Court System has been created to help inform you about the Judicial Branch's functions and responsibilities, as well as to provide you with more in-depth information regarding the judiciary and the Administrative Office of the Courts.

We sincerely appreciate your efforts on behalf of the citizens of the State of Washington. We look forward to working with you in upholding our democratic values and ensuring equal access to justice for all of Washington's citizens.

Please know that we are available to you as legislators to answer any questions you may have. Please do not hesitate to call upon us at the Supreme Court, the Administrative Office of the Courts, or your local judges for additional information or to see your court system in action.

Again, we look forward to working with you.

Sincerely,

A handwritten signature in black ink that reads "Gerry L. Alexander". The signature is written in a cursive, flowing style.

Chief Justice Gerry L. Alexander
Supreme Court of the State of Washington

Section I:

STATEWIDE POLICY ISSUES AND WASHINGTON COURTS



Court decisions affect millions of Washington citizens every year. This section offers a brief overview of the most critical current policy issues in the Judicial Branch and of some key aspects of the relationship between the judicial and legislative branches.

Judicial Branch Principles

The Washington State Constitution, like that of the United States, establishes three equal branches of government — executive, legislative and judicial. From the founding of the United States to the formation and integration of the State of Washington into the Union, these three branches of government were established each as a critical component of the system of checks and balances to preserve liberty and justice for all.¹

In this original spirit, Washington courts, as an independent branch of government, seek to protect the rights and liberties guaranteed by the constitution and laws of the United States and the State of Washington; impartially uphold and interpret the law; and provide open, just, and timely resolution of all matters before the courts. The following principles, adopted in 2008, guide the courts in pursuit of this mission.

In *The Federalist Papers*, No. 78, Alexander Hamilton wrote:

“The interpretation of the laws is the proper and peculiar province of the courts.”

(p. 467).

“To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents which serve to define and point out their duty in every particular case that comes before them.”

(p. 471).

“There is no liberty if the power of judging be not separated from the legislative and executive powers”

(quoting Montesquieu, *Spirit of Laws*, Vol. I, p. 186).

“Justice in all cases shall be administered openly, and without unnecessary delay.”

(Article I, Section 10, of the state constitution)

Fair and Effective Administration of Justice in all Civil and Criminal Cases

Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

Accessibility

Washington courts, court facilities and court systems will be open and available to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.

Access to Necessary Representation

Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interests at stake in civil judicial proceedings should have meaningful access to counsel.

Commitment to Effective Court Management

Washington courts will employ and maintain systems and practices that enhance effective court management.

Appropriate Staffing and Support

Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court support systems will be effectively supported.

¹ Washington Courts Media Guide

Legislative and Judicial Branch Relations

Rule of Law and the Role of the Judiciary

Judges ensure that the rules of court procedures are followed by both sides. They issue rulings as they see them, according to the facts and law—without regard to which side is popular, without regard to who is “favored,” without regard for what spectators want, and without regard to whether the judge agrees with the law.²

“The rule of law is better than that of any individual.”

Aristotle

Supremacy of the law is a fundamental concept in the western democratic order.³ The rule of law is the principle that governmental authority is legitimately exercised only in accordance with written, publicly disclosed laws adopted and enforced in accordance with established procedure. This principle is intended to be a safeguard against arbitrary governance.⁴

“We need courts to interpret and apply the law when parties dispute. In that way, courts take law out of dry and dusty law books, and make it part of the living fabric of our lives. Courts apply the law to specific controversies brought before them. They resolve disputes between people, companies and units of government.

“Judges should be unswayed by partisan interests, public clamor or fear of criticism.”

Canon 3(A)(1), Code of Judicial Conduct

Often, courts are called on to uphold limitations on the government. They protect against abuses by all branches of government. They protect minorities of all types from the majority, and protect the rights of people who can't protect themselves. They also embody notions of equal treatment and fair play. The courts and the protections of the law are open to everybody.”⁵

Judicial Independence

“Law won't work without independent courts. That means courts that aren't under the thumb of the political powers-that-be. An independent judge can assure that your case will be decided according to the law and the facts—not the vagaries of shifting political currents.”⁶

“Judicial independence assures that cases will be decided on their merits...based on what is right and just under the law, not what is popular at the moment.”

American Bar Association Public Legal Education Division

“Before the American Revolution, courts in the colonies were seen as instruments of oppression. Juries could be locked up until they reached the “right” decision. Judges were seen as puppets of the king. In fact, the Declaration of Independence criticized King George III for making “judges dependent upon his will alone” for the tenure of their offices and the amount and payment of their salaries.

This experience convinced the founders that Americans needed independent courts in order to be protected from unreasonable searches, rigged trials, and other examples of overreaching government power. To guarantee rights like freedom of speech and freedom of worship, and make the rule of law a reality, the founders knew that judges had to be servants of the law and the Constitution, not the political bosses, not the

² ABA Public Legal Education

³ <http://www.ourcivilisation.com/cooray/btoff/chap181.htm>

⁴ Wikipedia http://en.wikipedia.org/wiki/Rule_of_law

⁵ ABA Public Legal Education

⁶ ABA Public Legal Education

media, and not special interest groups.

Throughout American history, the independence of the judiciary has protected individual liberties and prevented a tyranny of the majority. Judicial independence assures that cases will be decided on their merits. Decisions are based on what is right and just under the law, not what is popular at the moment.”⁷

Separation of Powers is Critical to a Free and Just Society

Each of the three branches of government plays a crucial role in managing a free and just society. Each branch has separate and independent powers and areas of responsibility, and each branch is able to place limits on the power exerted by the other branches in order to maintain a society free from tyranny.

The legislative and judicial branches balance each other’s power. While the legislature has the power to write laws, enact taxes, authorize borrowing, and set the budget, the judiciary balances that power through the ability to declare laws unconstitutional and unenforceable and to determine which laws apply to any given case. While the judicial branch has the power to interpret the law and apply it to particular disputes, to determine the disposition of prisoners, and to compel testimony and the production of documents, the legislature balances that power by passing Constitutional amendments, clarifying laws where ambiguity exists or by writing new laws.

These are fundamental concepts underlying the relationship between the legislative and judicial branches at all levels of government. In *The Creation of the American Republic*, Gordon Wood rightly asserts that the separation of powers doctrine is a “dominant principle of the American political system.”⁸ While the two branches communicate with each other, they each must continue to make decisions independently of the other according to their mandate in the Washington State and United States Constitutions.

Legislative Intent Important in Judicial Decisions

Judges at all levels may consider both the actual text written in a statute as well as the legislative intent behind the text. The intent section, therefore, becomes an important tool in guiding judicial decisions. When the text of the relevant statute and the intent section are communicated clearly, the legislature may effectively guide the judiciary as it applies the laws to cases that come before it.

It is also true that the laws embodied in the statute may conflict with the constitution. When this is the case, the judiciary must follow the constitution rather than the statute.

“It is my fervent conviction that neither a city nor board of county commissioners should interfere with the independent discharge of the duties of a justice of the peace.” Governor Rosellini, vetoing section 48 of the Justice Court Act of 1961, which would have given municipal department staffing authority to city administration.

The judicial power is not supposed superior to the legislative power. **“It only supposes that the power of the people is superior to both, and that where the will of the legislature, declared in its statutes, stands in opposition to that of the people, declared in the Constitution, the judges ought to be governed by the latter rather than the former.”** Hamilton, *The Federalist Papers*. No. 78. p. 467-8.

“As judicial officers and persons specially learned in the law, judges are in a unique position to contribute to the improvement of the law, the legal system and the administration of justice.” (Canon 4 *Comment*, Code of Judicial Conduct.)

⁷ Taken from the American Bar Association's Public Legal Education information at <http://www.abanet.org/publiced/courts/judicialindependence.html>.

⁸ Taken from “Separation of Powers: The Legislature and the Judiciary,” (2003) by Aldo Melchiori, Counsel to the Senate Judiciary Committee.

When judges make decisions in situations where the statute is unclear or in conflict with the constitution, it is not uncommon to hear claims that judges are “legislating from the bench.” Courts, however, do not make their decisions lightly and take care to limit any potential encroachment on rightful legislative powers. Particularly where ambiguity exists, the legislature may respond to a court decision by making changes to the law for application in future cases.

Judicial Positions on Legislation

Judges and court officials are among the many important constituents in Washington State. They may appear in legislative hearings to testify as subject matter experts or as constituents concerned about the courts where proposed legislation may support or adversely affect delivery of services to the public and the administration of the courts. While the Code of Judicial Conduct limits judges’ political activity, they are allowed to participate in policy discussions that may affect the courts. According to Canon 4 of the Code of Judicial Conduct, judges “may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system and the administration of justice, and they may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.”

Budgets, Revenue, Funding and Efficiencies

While most court operating funds come from local government, the state plays an important role in funding the courts and the administration of statewide systems. It is imperative that funding be adequate for courts to carry out their constitutional duties.

State Sources

Only a small portion of the total cost of operating state government, approximately seven-tenths of one percent, is devoted to the courts. Court operations funded directly by the state include those of the Supreme Court (including the Supreme Court Clerk's Office, the Commissioner's Office, the Reporter of Decisions, the State Law Library, and the Administrative Office of the Courts), the Court of Appeals, half of the salaries and one hundred percent of the benefits of superior court judges and approximately twenty percent of the salaries of district and qualifying municipal court judges' salaries.

Local Sources

As is the case at the state level, the amount spent to support local courts is small relative to expenditures made for other city and county government operations. Though local governments finance the major portion of the state's judicial system, during recent years those expenditures have represented only a small fraction of all funds spent by local governments. Local funds support the cost of court administration, grand juries, local law libraries, court facilities, civil process services, juries and witness expenses.⁹

Supreme Court Budget Process

In December 2007, the Washington State Supreme Court officially adopted the first budget development and approval schedule for the judicial branch. The purpose of the schedule and its related procedures is to ensure that the budget development, review and submittal process is consistent and objective, providing several opportunities for review and discussion. The previous process was strengthened to establish a transparent budget process that will result in funding requests that align with judicial branch policy objectives and priorities. All state judicial branch budget requests, whether for new funding or increases to existing funding, shall be subject to this process for final approval or endorsement by the Supreme Court as appropriate. The Supreme Court may approve, modify or deny funding proposals that are included in the Administrative Office of the Court or Supreme Court budget requests. The Office of Civil Legal Aid and Office of Public Defense, whose budgets are not included in the Supreme Court's, have voluntarily agreed to submit to the new process as well. The final Supreme Court budget is submitted to the legislature in October.

Court Revenue

During state fiscal year 2008, state and local courts collected over \$314 million in revenue and held over \$303 million in trust (bail, restitution, garnishment, etc.).

Of the \$314 million, approximately \$126 million is deposited to various state accounts each year. Over seventy-five percent (approximately \$94 million per year) of state collections are deposited into the Public Safety and Education Account (PSEA). Monies in the PSEA can be used for such diverse activities as treatment for supplemental security income clients to alternative school start-up grants. More than 14 state agencies receive funding from the PSEA.

⁹ A Citizen's Guide to Washington Courts – updated for current values.

In addition, approximately \$16 million is deposited annually into the Judicial Information Systems Account (JIS). Funds deposited into the JIS account can be used by the AOC for the acquisition, development, operation, and administration of information services.

The remainder of the state funds collected, approximately \$16 million, are used to fund a number of services and programs including domestic violence prevention; emergency medical services, trauma care services, rehabilitative services, and the planning and development of related services for reimbursement by the department of social and health services; and to provide a public awareness campaign and services relating to traumatic brain injury.

The remainder of the annual amount collected, \$188 million, is deposited into various local (city and county) accounts. The vast majority, \$178 million, is deposited into the local current expense fund (local general fund) that can be used for most operational purposes. The remaining \$10 million is distributed for activities such as local law libraries, domestic violence facilitation and for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes.

Court Efficiencies

“Because the trial courts are primarily locally funded, efforts to improve justice and increase efficiency have been initiated to a large extent by individual judges and court managers than dictated by state judicial leaders. Over the years, the trial courts have demonstrated their commitment, in good times and bad, to continuously improving the way they serve the public and administer justice.

At the local level, individual courts have implemented such innovations and efficiency measures as:

- Case management systems to expedite civil, domestic, and dependency cases.
- Volunteer guardian ad litem programs for dependency and family law cases (Court Appointed Special Advocate or CASA programs).
- Driver re-licensing programs.
- Volunteer probate monitoring programs.
- Joint administrative functions such as jury management and interpreter services to reduce duplication of effort among multiple courts.
- Mandatory mediation and arbitration programs.

At the state level, steps have also been taken to help local courts become more efficient:

- Adoption of a Supreme Court rule to allow elected judges to sit temporarily in any court to help with crowded dockets – “portability” of judges.
- Development of Trial Court Coordination Councils to focus the resources and efforts of all courts within a region to collectively solve problems and reduce inefficiencies.
- Adoption of a strong presiding judge court rule to reinforce the importance of judicial leadership in the effective administration of courts.”¹⁰

¹⁰ Justice in Jeopardy: Highlights of Efficiencies and Court Reform Efforts

Current Issues

Court Funding is Improving – Still More to Do

"Trial courts are not self-funding. The imposition of fines, penalties, forfeitures and assessments by trial courts are for the purpose of punishment and deterrence, and must not be linked to the funding of trial courts."¹¹

The Justice in Jeopardy (JIJ) Initiative, created under the auspices of the Board for Judicial Administration, began in 2004 as a result of the combined work of three statewide task forces that identified critical needs and serious deficiencies in the level of justice afforded the citizens of our state. The three task force reports giving rise to the JIJ Initiative were:

- Justice in Jeopardy: The Court Funding Crisis in Washington State, by the Board for Judicial Administration Court Funding Task Force;
- Washington State Bar Association Blue Ribbon Task Force Report on Criminal Indigent Defense; and the
- Report of the Supreme Court Task Force on Civil Equal Justice Funding.

Each report detailed specific crises and solutions and, together, they formed the basis for the JIJ Initiative's mission: Develop and implement a plan to achieve adequate, stable and long-term funding of Washington's trial courts to provide equal justice throughout the state.

At the inception of the JIJ Initiative, Washington ranked 50th in state funding of trial courts, and the entire judicial branch comprised 0.3% of the state's operating budget.

The Justice in Jeopardy Implementation Committee (JIJIC) recognized that adequate state funding of the trial courts would require a long-term approach and, thus, began the multi-biennial legislative call to action that is still underway. Important incremental steps have been taken by the legislature in recognition of the need for the state to move toward sharing more of the financial burden of the courts. Nonetheless, the challenge continues and additional progress still needs to be made in areas such as parents' representation in the foster care system, family and juvenile court, access to qualified interpreters for deaf/hard of hearing and limited English speaking persons, indigent defense, civil legal aid capacity, juveniles' right to counsel, the judicial information system, and other programs and trial court operations that help ensure the constitutional rights of Washington's citizens.

Funding the Administrative Office of the Courts Operations and Local Court Support and Judicial Information System is Important

In addition, the state continues to fund the Administrative Office of the Courts (AOC), which was established by the 1957 Legislature and operates under the direction and supervision of the Chief Justice of the Supreme Court, pursuant to Chapter 2.56 RCW.

The AOC is the support agency for all court levels and many state level judicial branch agencies. At the local court level, AOC provides policy development guidance, funding, administrative, technical, and educational assistance as well as providing and maintaining a statewide repository of court data through the Judicial Information System (JIS).

At the state level, the AOC assists with the overall coordination of judicial branch activities such as legislative communications and budget and policy development. The AOC is also the centralized provider of numerous administrative and financial services for state level judicial branch agencies.

¹¹ 2003-2004 Report of the Courts of Washington

The AOC also provides funding and technical assistance for a number of legislatively-enacted and supported programs. Examples include funding and assistance for court-appointed special advocates (CASA), truancy prevention through the Becca program, language assistance through the interpreter program, and family court coordination through the juvenile and family court planning effort.

In addition, the AOC plans, develops and maintains a number of computer applications designed to improve and enhance the operations of the trial and appellate courts. The systems, known collectively as the Judicial Information System (JIS), are also used to protect victims of domestic violence by assuring judges, police, prosecutors, and community corrections and probation officers can gain timely access to domestic violence related court-orders.

Further, the JIS serves as a statewide clearinghouse for criminal history information, domestic violence protection orders, and outstanding warrants.

Funding for the JIS comes from a dedicated, non-general fund account and will be used for modernizing and otherwise updating, improving and enhancing the information system. These funds will allow the courts to continue providing streamlined services and accurate and up-to-date information throughout the state.

All Judges in All Courts Should Be Elected

The public expects to receive fair treatment and timely resolution of any issues they may have before the court as well as good stewardship of the public resources used to meet those ends. Judges are responsible for seeing that the public's expectations are met. The ultimate accountability for a judge is to face the voters and let them decide if the judge is fulfilling those responsibilities. This tradition reaches back as far as 1889, when Washington gained statehood, and the people writing the constitution wrested the courts from the federal justices and insisted on a local, elected judiciary.¹² All judges in all courts should be elected in order to promote accountability.

In order to build and maintain confidence in the court system, all steps must be taken to assure the independence of the judiciary from executive and legislative branch officials. Requiring that judges answer to the people they serve, rather than to separate branches of government, is the most important step in assuring that independence. All judges in all courts should be elected in order to promote independence, thus promoting public trust and confidence that the courts are upholding their constitutionally mandated duties.

Juror Compensation Should Be Increased

The judicial branch relies solely on citizen participation to ensure the right to a trial by jury. However, most jurors in Washington are paid \$10.00 per day, a rate set in 1959. This low rate of pay may inhibit certain segments of the community from participating in jury duty. If juror pay in Washington had the same purchasing power as \$10.00 did in 1959, we would pay our jurors \$70.14 a day.

Currently, 17 states pay lower daily juror fees than those of Washington. However, the state's rank drops as the number of days served increases. For a five-day trial, only five states pay less than Washington. For a ten-day trial, only three states do.¹³

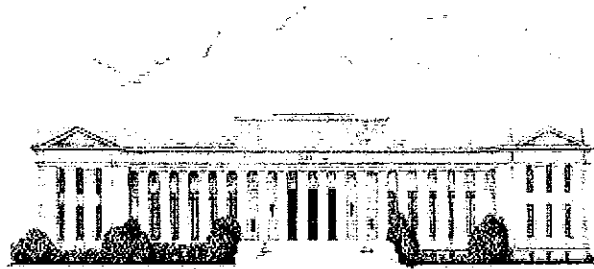
Juror pay should be updated to reflect the current minimum wage and be raised annually according to the Consumer Price Index. The state should assist local governments in funding juror compensation.

¹² 2003-2004 Report of the Courts of Washington

¹³ Washington State Center for Court Research, Juror Research Project Report, Dec. 2008

Section II:

OVERVIEW OF JUDICIAL BRANCH STRUCTURE AND JURISDICTION



When people think about the judicial branch, they tend to think of the court that most affects them personally. There is a vast system in the state that is continually developing to ensure that the administration of justice is fair, open and efficient.

Evolution of the Courts - *In Brief*

The basic court system we see now was a long time in the making – 1889 to Present.

Timeline of Major Events

State Constitutional Convention Washington gained statehood and the newly formed Supreme Court and superior courts took over cases from the Territorial district courts.	1889	1890	State Court Rules Began
Nonpartisan Judiciary A law was passed in 1908 to create a nonpartisan judiciary, but it was quickly repealed before the 1910 elections. The law was reenacted in time for the 1912 elections.	1908 1912		
		1933	Creation of the State Bar Association
Creation of the Office of the Administrator of the Courts Reflects growing complexity of the court system.	1957	1961	Creation of District Courts
Court of Appeals Created	1967		
Court Improvement Act	1984	1980	Courts of Limited Jurisdiction Created Eliminating further creation of police courts.
Elections Required for Full-Time Municipal Court Judges	1993		
		2004	Justice in Jeopardy Initiative Begins

Court Structure and Jurisdiction

Washington's trial courts, consisting of more than 400 judges, adjudicate more than 2.3 million cases each year. The fate of millions of lives is decided by trial court rulings in criminal, civil, and family law cases.¹⁴ There are four levels of courts in Washington:

- (1) the Supreme Court,
- (2) the Court of Appeals,
- (3) the superior courts, and
- (4) the courts of limited jurisdiction (district and municipal courts).

The Supreme Court is located in Olympia in the Temple of Justice on the state capitol grounds.

The three divisions of the Court of Appeals are located in Seattle (Division One), Tacoma (Division Two), and Spokane (Division Three).

Each of the state's 39 counties has a superior court (though in some cases, multiple small counties comprise one superior court district, such as the Benton-Franklin County Superior Court).

Each county has a district court with at least one district court facility (larger counties may have multiple district court locations), and many of the state's cities and towns have municipal courts.

Supreme Court

The Supreme Court is the state's highest court, and consists of a panel of nine justices. Its opinions are published, become the law of the state, and set precedent for subsequent cases decided in Washington. The state's "court of last resort" is asked to review more than 1,000 cases each year. Most of those come from the Court of Appeals, though cases can be appealed directly from superior courts. In the Supreme Court, no witnesses are called or other evidence taken. The Court hears only legal issues and decides cases based on factual records developed in the trial court.

The Court is a discretionary court, which means it does not have to accept all cases presented for review. In a case already decided by the Court of Appeals, the Supreme Court will generally grant review only if it involves a question of conflicting appellate court decisions, an important constitutional question, or a question of substantial public importance. Direct review of superior court decisions (rather than a case going to the Court of Appeals) is granted in limited circumstances, such as when a case involves a state officer (elected official), if a trial court rules that a statute or ordinance is unconstitutional, if conflicting laws are involved, or if the issue is of broad public interest and requires a prompt and ultimate determination (such as a recall petition for an elected official).

The Supreme Court also governs the state court system, adopting court rules that apply to proceedings in the state's courts such as civil and criminal procedure and rules of evidence. Though local courts may adopt their own rules of procedure, these must not conflict with those established by the Supreme Court. In addition, the Supreme Court has administrative responsibility for operation of the state court system, and supervisory responsibility over certified court interpreters, certified professional guardians, limited practice officers, and certain activities of the Washington State Bar Association, including attorney discipline.

View current list of justices at www.courts.wa.gov. Click on "Appellate Courts" and then "Members of the Supreme Court."

¹⁴ 2003-2004 Report of the Courts of Washington

Court of Appeals

Most cases appealed from superior courts go directly to the Court of Appeals. It is a non-discretionary appellate court, which means it must accept all appeals filed with it. The Court of Appeals has authority to reverse (overrule), remand (send back to the lower court), modify or affirm the decision of the lower court. The court decides each case after reviewing the transcript of the record in the superior court and considering the arguments of the parties. Generally, the court hears oral arguments in each case but does not take live testimony.

The Court of Appeals is divided into three divisions, each serving a specific geographic area of the state. Within each Court of Appeals division are districts, similar to legislative districts, and voters elect Court of Appeals judges who serve their district.

Trial Courts

Superior Courts

Because there is no limit on the types of civil and criminal cases heard, superior courts are called "general jurisdiction courts." Superior courts also have authority to hear cases appealed from courts of limited jurisdiction. Each court has a presiding judge who, with the help of an administrator or manager, oversees operations and serves as the court's spokesperson.

Courts of Limited Jurisdiction

Courts of limited jurisdiction include district and municipal courts. More than two million cases are filed annually in district and municipal courts. Excluding parking infractions, four out of every five cases filed in all state courts are filed at this level. This is due primarily to the broad jurisdiction these courts have over traffic infractions and misdemeanors, but district courts also have concurrent jurisdiction with superior courts over misdemeanor and gross misdemeanor violations and civil cases under \$75,000. They have exclusive jurisdiction over small claims and infractions. Municipal courts are established by city ordinance. Cities electing not to establish a municipal court may contract with the district court for services. Municipal courts also have concurrent jurisdiction with superior courts over misdemeanor and gross misdemeanor violations and have exclusive jurisdiction over infractions.

THE SUPREME COURT

9 justices (elected to six-year terms)

- Appeals from the Court of Appeals
- Direct appeals when action of state officers is involved, the constitutionality of a statute is questioned, there are conflicting statutes or rules of law, or when the issue is of broad public interest
- Final rule making body for other state courts
- Administers state court system
- Supervises attorney discipline statewide

THE COURT OF APPEALS

22 judges (elected to six-year terms)

Division I, Seattle 10; Division II, Tacoma 7; Division III, Spokane 5

- Appeals from the lower courts except those in jurisdiction of the Supreme Court

THE SUPERIOR COURTS

188 judges (elected to four-year terms in 31 judicial districts, each composed of one or more counties)

- Concurrent jurisdiction in civil actions involving \$75,000 or less, exclusive original jurisdiction for civil actions for higher amounts
- Original jurisdiction in title or possession of real property, legality of a tax, assessment or toll, probate and domestic matters
- Original jurisdiction in all criminal cases amounting to felony
- Original jurisdiction in all criminal cases when jurisdiction is not otherwise provided for by law
- Exclusive original jurisdiction over juvenile matters
- Orders for protection from domestic violence
- Appeals from the courts of limited jurisdiction heard *de novo* or appealed on the record for error of law

THE COURTS OF LIMITED JURISDICTION

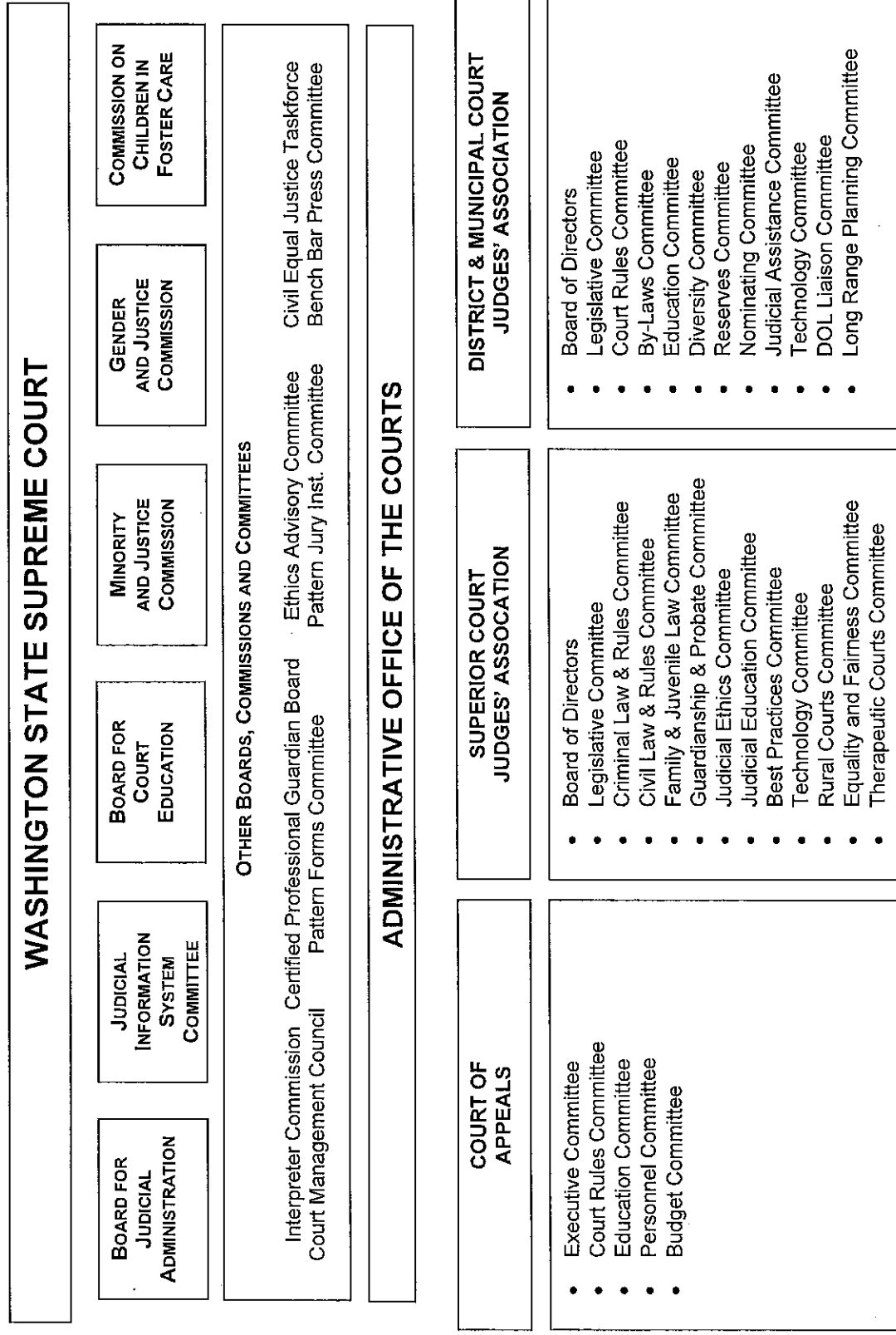
204 judges; 200 attorneys and 4 non-attorneys (110 district court judges, elected to four-year terms, and 94 municipal court judges*)

- Concurrent jurisdiction with superior courts over civil actions involving \$75,000 or less**
- Concurrent jurisdiction with superior courts in all misdemeanor and gross misdemeanor actions with maximum fine of \$5,000 or less and/or jail sentence of one year or less in violation of state county or city/municipal ordinances
- Original jurisdiction over small claims up to \$5,000**
- Original jurisdiction in all matters involving traffic, non-traffic, and parking infractions
- Preliminary hearings of felonies**
- Orders for protection from domestic violence
- Orders for change of names**
- Civil anti-harassment matters
- Civil impoundment matters

* Judges may sit in multiple municipal courts

** District courts only

Administrative Structure of the Judiciary



Administrative Structure of the Judiciary

Washington State Supreme Court

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

Authority: Created by Statute, Chapter 2.56 RCW

Role: Under the direction of the Chief Justice, performs duties enumerated at RCW 2.56.030. Office provides automated systems for use by the trial courts, judicial education support, support of judicial associations, boards, commissions and task forces, research and statistical services, etc.

BOARD FOR JUDICIAL ADMINISTRATION (BJA)

Authority: Created by Supreme Court Rule (BJAR)

Membership: Two Justices of the Supreme Court
Three Judges of the Court of Appeals
Five Judges appointed by the Superior Court Judge's Association
Five Judges appointed by the District and Municipal Court Judge's Association
Three non-voting members appointed by the Washington State Bar Association
The State Court Administrator as a non-voting member

Role: Provides strategic leadership and adopt policies to enhance the administration of justice in Washington State.

JUDICIAL INFORMATION SYSTEM COMMITTEE (JIS)

Authority: Created by Supreme Court Rule (JISCR) and referenced by Statute (Chapter 2.68 RCW)

Membership: As appointed by the Chief Justice of the Supreme Court:
Four representatives of the Appellate Courts (Supreme Court and Court of Appeals)
Five representatives of the Superior Courts, two of whom shall be members of the SCJA
Four representatives of the Limited Jurisdiction Courts (District and Municipal Courts)
One representative each from the Washington State Bar Association, the Washington Association of Sheriffs and Police Chiefs and the Washington State Association of Prosecuting Attorneys.

Role: Provides direction, with the approval of the Supreme Court, to the Administrative Office of the Courts in the design and operation of a statewide Judicial Information System to serve the Courts of the State of Washington.

BOARD FOR COURT EDUCATION (BCE)

Authority: Created by Supreme Court Order

Membership: As appointed by the Chief Justice of the Supreme Court:
One Justice of the Supreme Court
Two Judges of the Court of Appeals
Three Judges nominated by the Superior Court Judge's Association

Three Judges nominated by the District and Municipal Court Judge's Association

The State Court Administrator

One representative each from the Washington State Bar Association, the Association of Washington Superior Court Administrators, the District and Municipal Court Management Association, the Juvenile Court Administrators Association, the Washington State Association of County Clerks, and a Law School.

Role: Plans, implements, coordinates, and approves BCE-financed education and training of court personnel throughout the state, promotes desirable minimum educational and curriculum standards for court judicial and non-judicial personnel and oversees the annual Washington State Judicial College.

MINORITY AND JUSTICE COMMISSION

Authority: Created by Supreme Court Order

Membership: The Commission is comprised of twenty-one members to include an appropriate mix of judges at all levels of court, members of the Washington State Bar Association, the State Court Administrator, trial court administrators, college or university professors, and private citizens.

Role: Identifies problems and makes recommendations to ensure fair and equal treatment in the state courts for all parties, attorneys, court employees and other persons and examines all levels of the State judicial system to particularly ensure judicial awareness of persons of color to achieve a better quality of justice and to make recommendations for improvement to the extent it is needed.

GENDER AND JUSTICE COMMISSION

Authority: Created by Supreme Court Order

Membership: The Commission is comprised of twenty-one members to include an appropriate mix of judges at all levels of court, members of the Washington State Bar Association, the State Court Administrator, trial court administrators, court clerks, college or university professors, and private citizens.

Role: Promotes gender equality in the system of law and justice through education, coordination and cooperation with other organizations, and programs and projects designed to eliminate gender discrimination and bias.

INTERPRETER COMMISSION

Authority: Created by Supreme Court Rule (GR 11.1)

Membership: As appointed by the Supreme Court:
Three judges, one from the appellate level and one each from the two trial court levels
Two court interpreters
Two members of the public
One representative each from the Administrative Office of the Courts, an ethnic organization, and a member of the State Bar.

Role: Develops, implements, and oversees policies for the Interpreter Program and the Program Policy Manual, including the continuing education and discipline of certified court interpreters.

OTHER COMMITTEES AND TASKFORCES

In addition to the Boards, Commissions and Committees outlined above, the Supreme Court by court rule or court order establishes standing and ad hoc groups to address and respond to numerous issues including, but not limited to, the following:

- Ethics Advisory Committee
- Bench Bar Press Committee
- Court Management Council
- Certified Professional Guardian Board
- Pattern Jury Instruction Committee
- Pattern Forms Committee
- Civil Equal Justice Task Force
- Marriage Dissolution Task Force¹⁵

Court of Appeals

COURT OF APPEALS EXECUTIVE COMMITTEE

Authority: Created by Court Rule – Supplemental Court of Appeals Administrative Rule (SCAR)

Role: Administers the affairs of the Court of Appeals and improves the administration of justice, including, but not limited to the following: recommending and implementing policies determined by the court of appeals as a whole, appointing special committees for the court as necessary, appointing representatives of the court to serve on judicially related committees or task forces and counseling and directing the Presiding Chief Judge on matters of liaison with the other judicial and non-judicial organizations and branches of government.

Committees: The business of the Court of Appeals is carried forward through various committees established by the Court of Appeals to administer the business of the Court and by participation of the Judges of the Court of Appeals in the various statewide boards and commissions established by the Supreme Court.

- | | |
|-------------------------|-----------------------|
| • Executive Committee | • Personnel Committee |
| • Court Rules Committee | • Budget Committee |
| • Education Committee | |

Superior Courts

SUPERIOR COURT JUDGES' ASSOCIATION (SCJA)

Authority: Created by Statute, Chapter 2.16 RCW

¹⁵ The Marriage Dissolution Task Force was created by the 2007 Legislature (Chapter 496, Laws of 2007 (2SSB 5470)) rather than by court rule or order.

- Role:* Improves the administration of justice, conducts instructive programs whereby higher standards of efficiency and excellence may be obtained and to better equip the superior court judges of Washington in the proper performance of their duties, supports and implements the canons of judicial ethics, promotes the interchange of ideas and encourages cooperation and social contacts among the members of the judiciary, promotes the objectives of statutes relating to the Association, and promotes better relations with the public and the other branches of government.
- Committees:* The business of the Superior Court Judges' Association is carried forward through participation of the membership in the various statewide boards and commissions established by the Supreme Court and the various committees of the Association including, but not limited to, the following:

- Best Practices Committee
- Guardianship and Probate Committee
- Technology Committee
- Legislative Committee
- Civil Law and Rules Committee
- Judicial Education Committee
- Therapeutic Courts Committee
- Equality and Fairness Committee
- Rural Courts Committee
- Criminal Law and Rules Committee
- Judicial Ethics Committee
- Family and Juvenile Law Committee

District and Municipal Courts

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION (DMCJA)

Authority: Created by statute, Chapter 3.70 RCW

Role: Improves the administration of justice in the courts of limited jurisdiction and recommends and supports proposals to that end; continuously surveys and studies the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results; and promulgates suggested rules for the administration of the courts of limited jurisdiction not inconsistent with the laws or rules of the Supreme Court relating to such courts.

Committees: The business of the District and Municipal Court Judge's Association is carried forward through participation of the membership in the various statewide boards and commissions established by the Supreme Court and the various committees of the Association including, but not limited to, the following:

- Legislative Committee
- Court Rules Committee
- By-Laws Committee
- Education Committee
- DOL Liaison Committee
- Reserves Committee
- Long-Range Planning Committee
- Diversity Committee
- Judicial Assistance Committee
- Nominating Committee
- Technology Committee

Administrative Office of the Courts

The duties of the State Court Administrator are defined in part by statute and in part by court rule.¹⁶ These duties include examining the administrative procedures and methods used in state courts and making recommendations to improve those procedures. Duties also include collecting and compiling statistical data on the operation of the state judiciary, collecting statistical and financial data relating to the expenditure of public monies for maintenance and operation of the judicial system, formulating recommendations for improvement of the judicial system and submitting those recommendations to the Board for Judicial Administration. The Administrator also provides support to various judicial activities throughout the state, from computer operations and training, to technical assistance in implementing legislation affecting the judiciary.

The Administrative Office of the Courts (AOC) was established by the 1957 Legislature and operates under the direction and supervision of the Chief Justice of the Supreme Court, pursuant to Chapter 2.56 RCW.

Administration - Provides overall management of the AOC based on direction and guidance from the Supreme Court. Included in those responsibilities are planning, direction, and coordination of agency operations, which includes administrative support for human resource needs of the Supreme Court, Court of Appeals, trial courts and AOC staff.

Information Services Division - The Information Services Division provides support to the courts through the development, operation, and maintenance of the Judicial Information System (JIS) that supports automation in juvenile, municipal, district, superior, and appellate courts. Over 16,000 users access data on the JIS, including judges, court staff, attorneys, law enforcement, and private sector businesses.

Judicial Services Division - The Judicial Services Division provides comprehensive professional and technical support to the state's 255 courts in the following areas: front office services, court services, court education, legal services, planning/development, and research services through the Washington State Center for Court Research.

Management Services Division - The Management Services Division provides integrated budget planning, asset management, accounting, procurement, revenue monitoring and analysis and contract management for the Supreme Court, Court of Appeals, State Law Library, Office of Civil Legal Aid, Office of Public Defense and the Administrative Office of the Courts. Division staff also provide administrative and technical financial assistance to the states' trial courts.

The AOC also provides state-level coordination, support, and fiscal oversight for a variety of special programs.

¹⁶ See RCW 2.56.030; CAR 23; IRLJ 2.1(a); CrRLJ 1.5

Section III:

RESOURCES



Find courts in your district and resources around the state to help you respond to your constituents' concerns.

Responding to Constituent Requests

Some of your constituents may call needing a legal solution to their issues. Many resources are available - from lawyer referral services to low-income legal aid services.

Some court users may call with complaints about their experiences in the courts. Some of these complaints are simply disagreements with a court's decision, while others might include concerns about judicial conduct or the conduct of an attorney.

There are resources available for your constituents and for helping you respond to your constituents' requests. This is not an exhaustive list, but offers some good places to get you started.

Subject	Resource	Contact
Clearinghouse of legal aid resources, including a detailed list of services by county	WashingtonLawHelp.org, a service of Northwest Justice Project in collaboration with other legal aid providers in the Alliance for Equal Justice and Washington Courts	http://www.washingtonlawhelp.org/WA/index.cfm
Lawyer referral services for selected counties	Listing provided by the Washington State Bar Association	http://www.wsba.org/atj/contact/lawref.htm
Toll-free telephone service for eligible low-income people outside of King County to obtain free legal assistance with civil legal problems.	Coordinated Legal Education, Advice and Referral system (CLEAR)	1-888-201-1014 (Weekdays 9:15 a.m. - 12:15 p.m.; Tuesdays 3:30 p.m. - 6:15 p.m.) TTY: 1-888-201-9737
Toll-free telephone service for people age 60 and over, regardless of income, to obtain free legal assistance with civil legal problems.	CLEAR*Sr	1-888-387-7111
Allegations of judicial misconduct	Commission on Judicial Conduct, www.cjc.state.wa.us/index.htm	(360) 753-4585, cjc@cjc.state.wa.us
Allegations of attorney misconduct	Washington State Bar Association, http://www.wsba.org/public/complaints/default1.htm	(206) 727-8207

Courts by Legislative District

Find contact information for courts in your district at: http://www.courts.wa.gov/court_dir/.
Search for courts by county, find a court official by his or her last name, or print out the entire directory as a desk reference.

Judicial Branch Contacts

Board for Judicial Administration

Chief Justice Gerry Alexander, Co-Chair
Phone: 360-357-2029
Email: J_G.Alexander@courts.wa.gov
Judge Vickie Churchill, Co-Chair
Phone: 360-679-7361
Email: VickieC@co.island.wa.us
Ms. Mellani McAleenan, Associate Director, Board for Judicial Administration
Phone: 360-357-2113
Email: mellani.mcaleenan@courts.wa.gov

Superior Court Judges Association

Judge Richard McDermott, President
Phone: 206-296-9115
Email: Richard.mcdermott@kingcounty.gov
Judge Deborah Fleck, Legislative Committee Chair
Phone: 206-296-9273
Email: Deborah.fleck@kingcounty.gov
Mr. Tom Parker, Lobbyist
Phone: (206) 200-7898
Email: tparker011@comcast.net

District and Municipal Court Judges Association

Judge Marilyn Paja, President
Phone: 360-337-7033
Email: mpaja@co.kitsap.wa.us
Judge Brett Buckley, Legislative Committee Chair
Phone: 360-786-5450
Email: buckleb@co.thurston.wa.us
Ms. Melanie Stewart, Lobbyist
Phone: 360-943-3806
Email: votesrus2@comcast.net

Office of Public Defense

Joanne Moore, Executive Director
Phone: 360-586-3164
Email: joanne.moore@opd.wa.gov

Office of Civil Legal Aid

Jim Bamberger, Executive Director

Phone: 360-704-4135

Email: jim.bamberger@ocla.wa.gov

Commission on Judicial Conduct

J. Reiko Callner, Executive Director

Phone: 360-753-4585

Email: rcallner@cjc.state.wa.us

Washington State Law Library

Kay Newman, Librarian

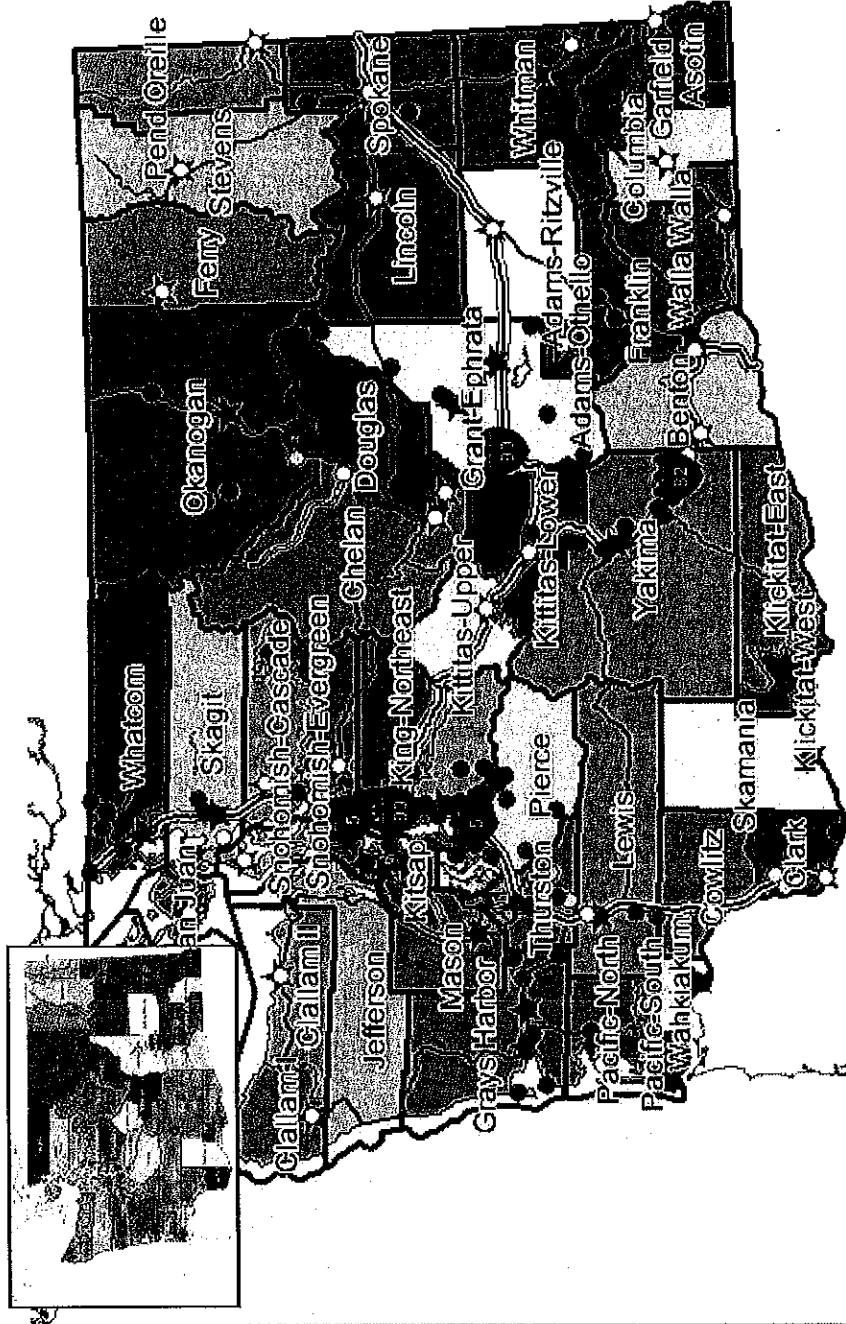
Phone: 360-357-2156

Email: kay.newman@courts.wa.gov

WASHINGTON COURTS

Map Contents: Current Scale: 1:3,116,848

- ☒ Map Contents:
 - ☒ Cities
 - Municipal Courthouses
 - (all other values)
 - Independent Municipal
 - Contract Municipal - City
 - Muni Dept - Contract
 - Muni Dept - Circuit
 - ☒ District Courthouses
 - ★ (all other values)
 - ★ Main District Court
 - ★ Branch District Court
 - ☒ Highways
 - BS
 - US
 - SR
 - ☒ City Boundaries
 - ///
 - ☒ County Boundaries
 -
 - ☒ District Boundaries
 - Adams District--Othello
 - Adams District--Ritzville
 - Asotin District
 - Benton District
 - Chelan District
 - Clallam District I
 - Clallam District II
 - Clark District
 - Columbia District



Internet

Zoom in on Kitsap



Address <http://maps.courts.wa.gov/>

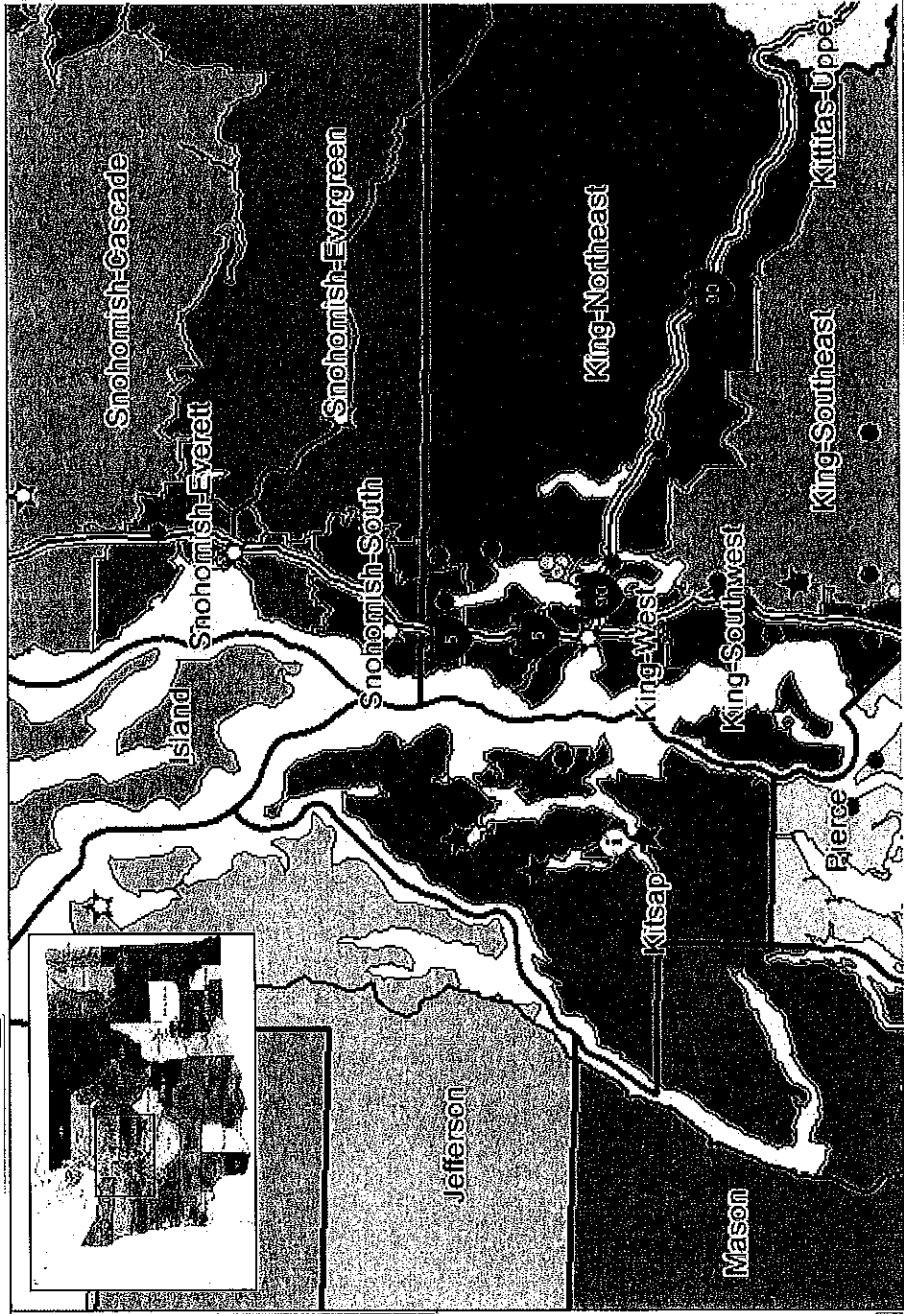
Go Links

WASHINGTON COURTS

Current Scale: 1:806,023

☒ Map Contents:

- ☒ Cities
 - ☒ Municipal Courthouses
 - (all other values)
 - Independent Municipal
 - Contract Municipal - City
 - Muni Dept - Contract
 - Muni Dept - Circuit
 - ☒ District Courthouses
 - ★ (all other values)
 - ★ Main District Court
 - ★ Branch District Court
- ☒ Highways
 - SR
 - US
 - SR
- ☒ City Boundaries
- ☒ County Boundaries
- ☒ District Boundaries
 - Adams District--Othello
 - Adams District--Ritzville
 - Asotin District
 - Benton District
 - Chelan District
 - Clallam District I
 - Clallam District II
 - Clark District
 - Columbia District



Identify results retrieved.

Internet

Click on Information for Kitsap

http://maps.courts.wa.gov - Identify Results for Point X: 1193985.2012, Y: 199920.6496 - Microsoft

File Edit View Favorites Tools Help

Identify Results for Point X: 1193985.2012, Y: 199920.6496

Longitude: -122.64069503873; Latitude: 47.5337005100178

Municipal Courthouses:

F NAME	CITY	COUNTY	POPULATION	COURT TYPE	SERVICE ID	2006 CASES	INFRACT	MISD	DV	CIVIL	FELONY	PARKING	JUDGES
Port Orchard	Port Orchard	Kitsap	8350	3	143	6438	1799	612	0	4	0	4023	0.6

District Courthouses:

JURISDICTI	COUNTY	POPULATION	POP UNINC	COURT TYPE	SERVICE ID	2006 CASES	INFRACT	MISD	DV	CIVIL	FELONY	PARKING	JUDG
Kitsap District	Kitsap	74800	170000	1	138	38849	25684	6405	545	4784	89	1162	4

Done

Internet

ES	COMMS	TOTAL JUDG	COURT DAYS	HRS WK	ADDRESS1	ADDRESS2	PO BOX	CITY1	ZIPCODE	NOTES	STATE	STAND ADDR	MATCH
	0	0.6	5	20	216 Prospect			Port Orchard	98366		WA	216 PROSPECT PORT ORCHARD WA 98366	215 PROSPECT ST. PORT ORCHARD, WA, 98366

JDGES	COMM S	TOTAL JUDG	COURT DAYS	COURT HRS	ADDRESS 1	ADDRESS 2	PO BOX	CITY	STATE	STAND ADDR	MATCHED
	1	5	5		614 Division St	MS 25		Port Orchard	WA	614 DIVISION ST PORT ORCHARD WA 98366- 4684	614 DIVISION ST, PORT ORCHARD, WA, 98366

Trial Court Coordination
Progress Report Summary
December 31, 2008

Black Diamond/Buckley/Milton Municipal Courts In-Custody Hearings

Project Goals

To increase access to justice, assure compliance with CrRLJ 3.2.1, allow cross court issuance of protection orders, reduce the resources consumed by prisoner transport, reduce the officer and courthouse safety issues brought on by prisoner transport, allow cross court training of court staff on video conferencing equipment, and the use of combined purchasing to save costs and assure compatibility through the use of an interlocal agreement and internet based video conferencing.

Project Objectives

To coordinate video hearings between member courts so that those arrested on new charges will receive a preliminary hearing by the next court day.

Status

We are doing well on our tasks. The Buckley jail has installed a video conferencing room and all of the necessary equipment. We have set up a new high speed internet connection in Black Diamond. We have tested the system, and found it works amazingly well when one party in Buckley is connected to one party in Black Diamond. The audio and video quality are more than acceptable for our purposes. However, the system degrades significantly when two parties are in Black Diamond. Surprisingly, this is caused by a lack of bandwidth in Buckley! Buckley is working on getting a better, higher speed connection to the internet in early 2009. Hopefully, this will solve the problem.

The Bonney Lake Municipal Court has decided not to be a part of our program. However, the Milton Municipal Court has agreed to replace Bonney Lake, and Ms. Appel has approved the change. Judge Tedrick will need to approve the replacement, but assuming she does, everything is still looking good.

To date, we have not spent any grant money. The City of Buckley has spent a significant amount of money on its video conferencing equipment and construction of its video conferencing room in the jail.

Columbia County In-Custody Hearings

Project Goal

To seek a solution for the insecure transport of in-custody defendants, facilitate access to justice, and assist in the alleviation of excessive costs. Phase I of the project includes a video system for in-custody appearances between the current jail and courtroom.

Project Objectives

Purchase of equipment, installation of equipment, training on equipment.

Status

By December 1, 2008, our system was up and running, and we all had been trained in its use.

The in-custody defendant is seated in the interview room, and the hearing is conducted. Additionally, and in compliance with the statute with regard to public meetings, the image is projected on a screen in the courtroom.

In addition to our original plan of eventually using this between Garfield County and Columbia County, we are realizing that there could potentially be other uses and cost savings of benefit to both trial courts. In addition to establishing the link between Garfield County and our jail/courtroom facility, Superior Court is considering a link with Walla Walla County's Juvenile Justice Center. At present, the custody officers of the juvenile facility must transport the offenders twice a month. Establishing this additional link would result in more efficiency and savings for the Court(s).

King County Jury Summons Response

Project Goal

Increase jury summons response. This supports two TCCC goals: increase flexibility to distribute work more efficiently among trial courts within a jurisdiction, and reduce functional redundancies among trial courts within a single jurisdiction.

Project Objectives

Improve jury management by reducing juror non-response rate throughout King County.

Status

Marketing campaign: The campaign used four public figures: Edgar Hernandez (former Mariner), Governor Gary Locke (former state governor), Chip Hanauer (hydroplane race driver) and Alan Hairston (former Sonic player). Titan Outdoors, who provided photos and tag lines, delivered the posters to Metro bus 9-9-08 with installation on 9-11-08 for the 8-wk contract, running 9-15-08 through 11-9-08. The banners were installed on 29 buses.

The methodology to evaluate this campaign continues to be discussed. Four TCCC courts indicated in early November a "significant" increase in summoned jurors who responded for jury call and queried whether that increase was a result of the marketing campaign, increased civic activism prompted by a high-profile presidential election, or undefined variable(s). Discussion with AOC staff involved in the juror pay evaluation offered insights into the complexity of an evaluation with cautions about interpretations. The consultation group will convene in January to adopt an evaluation work plan, establish and implement survey tools, and analyze data.

The project has been reimbursed for \$21,132.99, the costs involved with the bus banner campaign.

Purchasing bus banners for jury rooms: Most of the project activity in this quarter focused on communications between the printer and the TCCC courts about converting the bus banners into posters for jury rooms. To support this purchase and a continuation of the campaign in a "subliminal" manner, King County Superior Court agreed to not

invoice the project for staff time, allowing that amount to be "freed" and available for the purchase of posters and frames.

Since the actual banner size is too large for jury rooms, the printer reduced the banner to poster size (24 x 36") and made them available for purchase by the TCCC courts. It has taken an inordinate amount of coordination, communication and discussion between the project manager, the printer and the TCCC courts with one result being an order form for a limited number of sizes and subjects.

Posters (and some frames) will be purchased for four of the TCCC courts (i.e., Kent and Seattle Municipal Courts, King County Superior and District Courts). It is expected this purchase will be completed by 1-31-09. Also, the project purchased one banner for one of the public figures who requested a copy of his banner.

Re-design of the Jury Summons. The work plan for the project deferred this component until the activities for the Marketing Campaign were completed. Activity on the re-design was deferred until the county budget process was completed in late November. It is anticipated the consultation group will be convened in January to continue the re-design activity.

Developing a web site to link the jury service addresses for all courts in King County. This surfaced during the Marketing Campaign and is an add-on to the project deliverables. Activity on completing this website was also deferred until the county budget process was completed in late November. It is anticipated that the key project managers convene in January to review current status and continue the development of the generic website.

Pierce County Volunteer Coordination

Project Goals

The goal of this project is to create a customer service information booth and function in the County-City Building in downtown Tacoma, the building in which all three courts conduct primary functions.

The goal included obtaining consulting services to assist in developing a Volunteer program to staff an effective information booth. (We have now determined that this will not be necessary.)

Project Objectives

1. To develop and maintain an ongoing volunteer pool from which a customer service information booth can be staffed on a daily basis.
2. To reach an agreement between the three courts and the county for the future ongoing use of a small percentage of Trial Court Improvement Fund monies to provide a staff (0.5 FTE) Volunteer Coordinator.
3. To build a computer equipped information booth on either the first or second floors of the building for these purposes.

Status

No funds have been expended at this point. The District Court and Tacoma Municipal Court continue to discuss possible use of an existing customer window located in the main lobby of building (not being used at this time by Tacoma Municipal Court), as an alternative to construction of a booth.

We have met with the staff Volunteer Coordinator in the Juvenile Court (coordinates approximately 500 volunteers, including the CASA program), and are now reviewing the materials and suggestions made based upon her experience. We believe this will eliminate the need to hire consulting services.

We anticipate cost estimates on the construction and location of the information booth and the computer costs for the volunteer station(s) by mid February.

We now believe the grant funds will be used for construction, computer hardware, the upfront cost of supplies, and training.

Three courts involved continue to find an approach for joint funding of ongoing volunteer coordination and training, notwithstanding the very serious budget difficulties we all face in 2009.

Skagit County Regional Staff Training

Project Goal

Professional training is provided to management at the Association conferences at least twice yearly, and regional training is provided for District and Municipal Court staff. However, County Clerk and Superior Court Administration staff does not have the same opportunity for training. The purpose of this project is to provide regional, cross-jurisdiction communication skills training for all line-staff from the courts of Skagit, Island, San Juan and Whatcom Counties. Approximately 107 employees will be participating in this training.

Project Objectives

Staff will have a better understanding of why it is so tough to communicate, why miscommunication occurs, how people can push your buttons, and how active listening affects the process.

Status

This project was successfully completed and the results were detailed in the 9-30-2008 progress report.



WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

Jeff Hall
State Court Administrator

January 13, 2009

Honorable Susan Owens
Chair, Interpreter Commission
Washington State Supreme Court
PO Box 40929
Olympia, WA 98504-0929

Dear Justice Owens:

Staff to the House and Senate Ways and Means Committees have contacted the Administrative Office of the Courts (AOC) regarding our 2009-2011 biennial operating budget, requesting information on the effects of budget reductions.

Specifically, we've been asked to develop five, ten and fifteen percent budget reduction scenarios based upon our total 2009-2011 budget, excluding judges' salaries. I am seeking your assistance in preparing a narrative describing the impacts to the interpreter reimbursement program as a result of a five, ten or fifteen percent budget reduction. We want to ensure that the Legislature fully understands the repercussions associated with any budget reduction and you are in the best position to assess the effects of the different reduction levels.

More generally, I have proposed to the Supreme Court that if the final budget reductions are less than ten percent, then that percentage should be applied across-the-board to all areas within the AOC budget, including pass through programs, if those areas or pass through dollars are included in the total budget amount upon to which the reduction computation was based. Should the final budget reductions exceed ten percent, I have suggested that it may then be necessary to consider targeted reductions of some programs to ensure that other programs remain viable. The Court expressed their general agreement with this approach at the January 8, 2009 En Banc meeting.

As we have in the past, all budget decisions will be brought to the Supreme Court Budget Committee for approval. I intend to communicate any and all budget information as quickly and widely as possible through the 2009 legislative session. This session will certainly present challenges, but I am confident that through active communication and consultation, we can work together to reach the best possible result for the Judiciary.

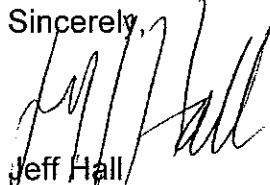
STATE OF WASHINGTON

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Letter to Justice Susan Owens
January 13, 2009
Page 2 of 2

Please send your draft narrative to Ramsey Radwan by February 4, 2009. If you have any questions as you prepare your narrative or regarding the basic budget approach adopted by the Court, please contact Ramsey Radwan at (360) 357-2406 or at ramsey.radwan@courts.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Hall", is written over the word "Sincerely,".

Jeff Hall
State Court Administrator

cc: Mr. Ramsey Radwan
Ms. Mellani McAleenan
Board for Judicial Administration
Ms. Katrin Johnson

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 1

In Support of Promoting a Culture of Transparency and Accountability through Court System Performance Measures

WHEREAS, the Conference of State Court Administrators (COSCA) understands the relationship between judicial independence and accountability and recognizes that accountability and transparency are critical to judicial governance and to the preservation and strengthening of an independent Judiciary; and

WHEREAS, COSCA has repeatedly expressed its strong commitment to the pursuit of accountability and transparency in the conduct of state and local court operations and in overall judicial branch affairs; and

WHEREAS, State court leaders have a duty to hold their organizations accountable to the public and their inter-branch partners by instituting a set of empirical measures, and a program of on-going assessment of court outcomes with the wide publication of the results of those assessments; and

WHEREAS, court performance measurement is the evaluation of overall systems and programs, rather than individual judicial performance and encompasses both a quantitative and qualitative assessment of court effectiveness; and

WHEREAS, the assessment of court performance serves as a basis for organizational change and as a means for continuous improvement of court operations and programs; and

WHEREAS, it is important that State court leaders share outcome data in a public manner by publishing the results of their performance measurements so the public can make judgments about the effectiveness of state court systems; and

WHEREAS, although state court systems are working successfully in many different contexts to advance accountability and transparency, court performance measurement is one area in which state courts need to do better; and

WHEREAS, COSCA prepared a white paper, *Promoting a Culture of Transparency and Accountability: Court System Performance Measures*, which examined available performance measurement tools, best practices, and lessons learned.

NOW, THEREFORE, BE IT RESOLVED that to create and sustain a court culture of accountability and transparency the Conference of State Court Administrators urges:

- Chief justices and state court administrators to assume a leadership role, regardless of their court system organizational structure, to promote and enact performance measurement systems;
- State courts to develop the automated capacity to collect, report, and analyze the data necessary to support performance management;
- State courts to, in practice, adopt policies requiring performance measurement;
- State courts to measure their courts' performance and publish those measures on their courts' websites, in annual reports, at budget hearings and other public meetings to improve understanding of the judicial branch;
- State courts to use their performance results to educate the legislative and executive branches of government;
- NCSC to serve as the clearinghouse for state performance measures and management solutions provided by the states via its website, including an implementation manual to assist state courts with performance measurements;
- State courts to share their information, methodologies, and results with one another and with NCSC in an effort to learn from these shared experiences and improve performance and management; and
- NCSC and NACM to continue to strengthen this theme of using performance measures and making data public in their educational programs for future court leaders.

Adopted as proposed by the COSCA Policy and Liaison Committee at the 2008 Midyear Meeting on December 4, 2008.

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 2

In Support of Ratification of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and in Support of Conforming Changes to the Uniform Interstate Family Support Act

WHEREAS, the Conference of State Court Administrators (COSCA) recognizes that international child support enforcement is increasingly more common and important in this global society;

WHEREAS, on November 23, 2007, after four years of deliberation, the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance was adopted at the conclusion of the Twenty-First Diplomatic Session of the Hague Conference on Private International Law at The Hague, The Netherlands;

WHEREAS, this Convention contains procedures for processing international child support cases that are uniform, simple, efficient, accessible, and inexpensive;

WHEREAS, this Convention is founded on the agreement by contracting countries to recognize and enforce each other's support obligations and is based on a system of administrative cooperation among the contracting countries to facilitate the transfer of documents and case information – using electronic technology where feasible – so that the necessary information is available for expeditious resolution of international child support matters;

WHEREAS, similar procedures are already in place in the United States (US) for processing interstate child support cases, as many of the provisions of the Convention were drawn from the US experience with the Uniform Interstate Family Support Act (UIFSA);

WHEREAS, state courts and state child support enforcement agencies in the US already recognize and enforce child support obligations, whether or not the US has a reciprocal agreement with the other country, so the major benefit for the US in joining this Convention will be obtaining child support enforcement services from other contracting countries for US citizens;

WHEREAS, this Convention effectively addresses jurisdictional barriers that have prohibited the US from joining other international child support conventions by providing flexibility for a US court having jurisdiction over the noncustodial parent to establish a new order in circumstances where US jurisdictional

requirements were not met in the country issuing the initial order that is sought to be enforced;

WHEREAS, the Convention and the conforming amendments to the UIFSA will not affect intrastate or interstate cases in the US and will apply only to cases where the custodial parent and child live in one contracting country and the noncustodial parent lives in another contracting country;

WHEREAS, the Convention does not affect substantive child support law, which is generally left to the individual states, as its primary focus is on uniform procedures for enforcement of decisions and for cooperation among countries; and

WHEREAS, the Uniform Law Commission (ULC) worked closely with the US Departments of State and Health and Human Services and a wide variety of organizations with expertise in child support enforcement to develop the 2008 amendments to UIFSA to ensure that state law will conform to the requirements of the Convention.

NOW THEREFORE BE IT RESOLVED that the Conference urges the President to submit to the United States Senate a resolution seeking its advice and consent to ratify the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted by The Hague Conference on Private International Law on November 23, 2007;

BE IT FURTHER RESOLVED that the Conference urges the United States Senate to promptly grant its advice and consent to ratify the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance; and

BE IT FURTHER RESOLVED that the Conference urges the Congress to act promptly to amend the Social Security Act as necessary to comply with the provisions of the Convention, including an amendment to section 466(f) of the Social Security Act to require every state to enact the 2008 version of the Uniform Interstate Family Support Act as a condition of receiving federal funding for the state's Title IV-D child support enforcement program.

Adopted as proposed by the Courts, Children, and Families Committee at the 2008 Midyear Meeting on December 4, 2008

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 3

In Support of Strengthening Court Oversight and Performance in Child Abuse and Neglect Cases

WHEREAS, the Conference of State Court Administrators recognizes the importance of securing safe, permanent homes for children and the importance of moving children in state custody to safe, permanent homes as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

WHEREAS, the Conference recognizes that state court leaders have a responsibility to promote and implement reforms within the state court systems to improve court oversight of these cases and amend court procedures and practices to more efficiently and effectively handle these cases; and

WHEREAS, the Conference further recognizes that state court leaders are uniquely positioned to lead and facilitate collaboration between the courts and the state executive agencies to improve the child welfare system; and

WHEREAS, the National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the American Bar Association Center on Children and the Law, in a collaborative effort, developed performance measures and, in April 2004, published them in *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*; and

WHEREAS, the publication serves as a guide to assist courts in handling child abuse and neglect cases to make real and sustained advances in improving outcomes for abused and neglected children; and

WHEREAS, using the process outlined in the publication, courts are able to establish reliable baseline measures of performance and workload and to establish a process to make continuous improvements; and

WHEREAS, in Resolution 17, *In Support of Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*, which was adopted on July 29, 2004, the Conference encouraged its members to make every effort to measure performance, identify areas in need of improvement, chart progress and provide the stimulus to improve society's response to child maltreatment and endorsed the *Building a Better Court* publication and encouraged the use of this valuable tool; and

WHEREAS, in Resolution 15, *In Support of the Recommendations Made by the Pew Commission on Children in Foster Care*, which was also adopted on July 29, 2004,

the Conference applauded the formation of the Pew Commission on Children in Foster Care, a nonpartisan, multi-disciplinary group dedicated to examining strategies for improving the child welfare system, and recognized the critical role that courts play in overseeing the system; and

WHEREAS, the Conference further endorsed the Pew Commission's recommendations for strengthening courts that were included in their final report, *Fostering the Future: Safety, Permanence, and Well-Being for Children in Foster Care*, which was issued in May 2004. The court-related recommendations focused on four general strategies:

- o Courts should adopt court performance measures to ensure that they can track cases, to increase accountability and to inform decisions about the allocation of court resources;
- o Incentives and requirements should be established to require effective collaboration between the courts and child welfare agencies in the development of plans and programs on behalf of children in foster care;
- o Children and parents should have a strong voice in court and effective representation by trained attorneys and advocates; and
- o Chief Justices and other state court leaders should spearhead efforts to organize courts to better serve children, provide training for judges, and promote more effective standards for dependency courts judges and attorneys; and

WHEREAS, the Pew Commission referenced the performance measures included in the *Building a Better Court* publication as an example of performance measures for states to consider and in Appendix B in their *Fostering the Future* report; and

WHEREAS, subsequently, the National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the American Bar Association Center on Children and the Law worked cooperatively to develop a *Tool-Kit for Court Performance Measurement in Child Abuse and Neglect Cases* to further assist state courts in implementing the above referenced performance measurements.

NOW, THEREFORE, BE IT RESOLVED that the Conference continues to encourage its members to make every effort to measure performance, identify areas in need of improvement, chart progress and provide the stimulus to improve society's response to child maltreatment and affirms its endorsement of the *Building a Better Court* publication; and

BE IT FURTHER RESOLVED that the Conference affirms its support for the recommendations made by the Pew Commission on Children in Foster Care and the Conference's commitment to an action agenda to implement the Pew Commission's recommendations; and

BE IT FURTHER RESOLVED that the Conference endorses the above referenced *Tool-Kit for Court Performance Measurement in Child Abuse and Neglect Cases* and encourages its members to use the tools.

Adopted as proposed by the COSCA Courts, Children and Families Committee at the Midyear Meeting on December 4, 2008.

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 4

In Support of the International Framework for Court Excellence

WHEREAS, the Conference of State Court Administrators (COSCA) recognizes the importance of assessing the performance of the operation of state courts;

WHEREAS, the Conference has previously adopted resolutions in support of the Trial Court Performance Standards, the Appellate Court Performance Standards, and *CourTools*, and has prepared a 2008 position paper entitled *Promoting a Culture of Accountability and Transparency: Court System Performance Measures*;

WHEREAS, an international consortium consisting of groups and organizations from Europe, Asia, Australia, and the United States have developed the *International Framework for Court Excellence*; and

WHEREAS, the National Center for State Courts and members of the Conference have played an important role in the development and promotion of the Framework; and

WHEREAS, the goal of the consortium's efforts has been the development of a framework of values, concepts, and tools by which courts worldwide can voluntarily assess and improve the quality of justice and court administration they deliver; and

WHEREAS, the Framework adopts the core values of equality, fairness, impartiality, independence of decision making, competence, integrity, transparency, accessibility, timeliness, and certainty; and

WHEREAS, the Framework is built around seven areas of court excellence, which are court management and leadership, court policies, human, material, and financial resources, court proceedings, client needs and satisfaction, affordable and accessible court services, and public trust and confidence; and

WHEREAS, the values are embraced in the work of the Conference and these areas of excellence are areas where our members seek to excel; and

WHEREAS, the Framework serves as an excellent complement to the work of the Conference and the National Center for State Courts.

NOW THEREFORE BE IT RESOLVED that the Conference of State Court Administrators congratulates the consortium on its work, endorses the *International Framework for Court Excellence*, and encourages COSCA members to apply the Framework in the administration of their own courts.

Adopted as proposed at the 2008 Midyear Meeting on December 4, 2008

**2008 Report to the
Washington State Legislature**

on the

Fiscal Impact

of

ESSB 5990, or

Chapter 379, Laws of 2003

and

SSB 5256, or

Chapter 362, Laws of 2005

The Washington Association of County Officials,
For
The Washington State Association of County Clerks
November, 2008

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Report Prepared by
Joel McAllister
Finance Division Manager
King County Clerk's Office

Introduction and Executive Summary

Total Legal Financial Obligation (LFO) collections in 2008 have increased state-wide by 2.3% over the previous year, or by \$712,738, and have increased by 45.4% or \$9.79 million over 2003 collections, the year that ESSB 5990 was adopted and LFO collections were transferred to the County Clerks. Restitution payments to victims of crime increased by \$2.1 million, or by 16.5% over 2007 collections, and increased to \$14.8 million, an increase of \$6.9 million annually, or 87.0% over 2003! In fact, restitution and restitution interest payments are expected to exceed \$14.8 million during 2008, and continue to be the most rapidly increasing component of total collections. In spite of the current down-turn in economic conditions, the 2003 transfer of criminal LFO collection responsibility from DOC to County Clerks has continued to yield a significantly increased rate of collection.

Changes implemented by ESSB 5990 and follow-up legislation reduced the State's financial commitment to support Legal Financial Obligation (LFO) collections, yet yielded increased total collections, increased restitution payments to victims of crimes, increased revenues to the State and the crime victims' compensation funds, and increased cost recoupment to counties. **State funding available to clerks to support this work has remained flat since the passage of ESSB 5990. The current economic conditions are creating additional challenges for clerks, yet while many are struggling, state-wide total collections have continued to increase.** The continuation of this resounding success needs to be ensured by provision of adequate funding to support clerks' collection operations.

Clerks rely on State funding for salaries and benefits of staff who provide collection services, and for mailing statements and delinquency notices to defendants who are out of compliance with their payment schedules. **Since passage of ESSB 5990, staff salaries and benefits have increased in most counties by more than 15%, postage has increased 14%, the number of new LFOs created annually has increased 13%, the legislature has added superior court gross misdemeanor collections to the clerks' work load, and the resulting number of cases DOC has transferred to the clerks for collection has increased dramatically.** State funding to support collections, however, has remained static. To address this, the Washington State Association of County Clerks (WSACC) has requested additional funding. **The amount of the additional funds being requested (\$450,000 annually) by WSACC is no more than the additional funding they bring into State agencies through the increased LFO collections.**

Revenue collected for the State is expected to be near \$4.0 million this year. This represents an increase of over \$440,000 annually or 12.7% over the amount collected in 2003. Collection of Crime Victims' Compensation funds is expected to exceed \$2.08 million in 2008, which represents an increase of about \$280,000 annually, or 15.8% over the amount collected in 2003.

The Administrative Office of the Courts (AOC) conducts regular monthly billing of outstanding LFOs. AOC received supplemental funding during 2006 to cover the cost of a postal rate increase, and to expand the regular monthly billing to encompass gross misdemeanor cases

transferred to clerks for collection under SSB 5256. It is believed that this, coupled with on-going enhancements to collection practices by clerks, is responsible for the continued growth of total collections during the year. It is expected that total collections will approach \$31.4 million by the end of 2008 (based on actual collections from the first nine months of 2008).

The clerks are continuing to make LFO collections a priority, continue to exchange information about best practices and continue to conduct training sessions on those practices that are proving particularly effective. It is anticipated that collections results will continue to improve throughout the next several years. However, difficult economic conditions and limited funding have caused the recent rate of growth in collections to slow considerably. Continued growth in collections will depend on sufficient funding being made available to allow clerks to continue to upgrade collection practices and increase efficiencies.

State LFO collection funding enables the monthly billing of offenders with outstanding LFOs, and provides the clerks with resources to assist obligors to remain in compliance with their payment schedule and help improve re-entry. The importance of continued, stable state funding cannot be over-emphasized.

The clerks were granted access to Employment Security Department (ESD) data in Substitute Senate Bill 5168 during the 2004 legislative session. While the clerks have struggled over several issues with ESD for the past several years, WSACC is happy to report that those issues have been resolved and that, at this time, collection programs across the state are benefitting from access to this critical data.

The clerks, through the Washington Association of County Officials (WACO), are planning to sponsor legislation that will further enhance LFO collections in this state. The anticipated legislation will revise several statutes governing the collection of LFOs to grant authority to clerks to issue Notices to Withhold and Deliver, just as DOC can do presently. WSACC is also planning to sponsor legislation that will group clerk's authority for charging a collection fee into the same chapter of statutes where all other clerk's fee authority is found (authority for the collection fee is currently embedded within the criminal statutes).

Engrossed Substitute Senate Bill 5990 was passed by the Washington State Legislature during the 2003 regular session, and became law on October 1, 2003. Section 20 of the bill added a new section to RCW 36.23, and reads in part: "The Washington Association of County Officials shall report on the amounts of legal financial obligations collected by the county clerks to the appropriate committees of the legislature no later than December 1, 2004, and annually thereafter." Following is the fifth such annual report.

Outstanding Issues

While transfer of the LFO collection program has met with significant success thus far, the cost of operating a successful collection program has increased each year, yet funding from the state to support this work has remained flat. Clerks use the state funding primarily to pay for staff salaries and for mailing notices to obligors. In the time since the current funding level was established, the cost for staff salaries and benefits has increased by more than 15% in most counties. The cost of postage has increased 14%. The number of new financial obligations being created each year has increased by 13%¹. The number of financial obligations being transferred from DOC to the clerks has increased dramatically.

To address this situation, the clerks have requested additional funding of \$900,000 in the 2009/2010 biennium, and on-going thereafter. The WSACC also requested that the categorization of the state funding provided to support AOC and the clerks' collections activities be changed to "vendor rate increase", so that the amount of these funds provided in future years will be increased as the cost of doing business increases.

Through the clerks' efforts, state revenue funds have increased by more than the amount of this additional funding request annually. The clerks have demonstrated this is a sound investment of state funds. The volume of work continues to grow and the cost of doing the work continues to rise. The clerks need continued financial support for this stellar level of performance to continue to be realized.

As originally enacted, ESSB 5990 authorizes clerks to charge a collection fee for conducting collections work. Unfortunately, this fee is authorized within the criminal statutes (Chapter 9.94A RCW) whereas all other fees charged in clerk's offices are found in Chapter 36, RCW. In the interests of uniformity and for ease of locating fee authorization, WSACC is proposing legislation that would add this fee authorization to Chapter 36 RCW so that it may be more readily located by individuals seeking information about clerk's fees. It is hoped that this legislative proposal will be supported and passed.

Finally, one issue that has been reported for a number of years, that of clerks having access to Employment Security Division data, has been resolved. Clerks are now enjoying access to this badly needed information and many are finding it very beneficial to their respective collection programs.

¹ The source of this data is the AOC Superior Court Statistics web site. See Table 18 in the Appendix.

History

During its 2003 session, the Washington State Legislature enacted ESSB 5990 into law in Chapter 379, Laws of 2003. This legislation, in conjunction with the Governor's budget for the following biennium, effected significant changes on the organizational structure and functioning of DOC and on the process for collection of criminal LFOs within this State. The Governor's initial proposal included shifting collection responsibility to the State Department of Social and Health Services (DSHS). Because all LFO data is provided from clerk-generated financial data and because LFOs originate from criminal court orders (Judgments and Sentences), and out of concern that DSHS' historic emphasis and expertise has been in the civil and family law areas, the clerks proactively negotiated for collections to be turned over to them to handle and manage.

The resulting legislation, in summary, provides that individuals being convicted in a Superior Court in this state are to undergo a risk assessment by DOC, and be assigned a risk management designation ranging from "A" to "D," with "A" representing the highest risk to the community. Subject to certain exceptions DOC is no longer responsible for supervision of those offenders receiving a risk management rating of "C" or "D." Responsibility for collection of LFOs was transferred to the County Clerk for each respective county for all non-DOC supervised offenders. Responsibility for monthly billing on non-DOC supervised cases was also transferred from DOC to AOC. These changes were phased in between July, 2003 and January 1, 2004.

Three million dollars was appropriated for the biennium to the clerks and AOC for this new body of work. Of the \$3 million, approximately \$1.2 million is allocated per biennium to AOC for contracted mailing of monthly statements to offenders. The remainder is distributed among the county clerks based on a formula created and unanimously approved by the county clerks and distributed by the Washington State Association of County Officials (WACO). The formula for distribution of these funds is based upon the relative volume of criminal sentences entered in each county during the years 1998 through 2002.² Table #1 in the appendix contains the data used to distribute these funds.

In July, 2003, DOC began closing the cases that they were no longer involved with, pursuant to 5990, and transferring them to the respective clerk's offices. In October 2003, the clerks became legislatively enabled to take many of the administrative collection actions that had been reserved to DOC prior to that time. In January 2004, AOC assumed responsibility for the monthly billing of non-DOC supervised obligors. At that time, AOC sent approximately 79,000 statements each month.

Substitute Senate Bill 5256 was passed by the Washington State Legislature during the 2005 regular session, and became law on May 10, 2005, in Chapter 362, Laws of 2005. This legislation expanded DOC's ability to transfer LFO collection responsibility to county clerks to

² The source of this data is the AOC Superior Court Statistics web site. See Table 1 in the Appendix.

gross misdemeanor cases in much the same fashion as ESSB 5990 allows in the case of felony convictions.

Due to the passage of SSB 5256, AOC has increased the number of monthly statement mailings to approximately 101,000 statements per month.³ In order to cover the added expense of mailing additional monthly statements and to cover the increase in postage rates, AOC sought and was granted supplemental funding. It is important that this incremental funding and the overall LFO program budget continue. Additionally, the recently requested supplemental funding should be provided on an on-going basis, to facilitate the clerk's ability to continue collections work.

The years 2005 through 2007 saw tremendous growth in LFO collections and greatly expanded adherence to LFO payment schedules. With the current adverse economic conditions, the growth in LFO collections has slowed during 2008. However, clerks are proud of the fact that in spite of economic adversity, collections in 2008 are higher than they were in 2007. Total collections since 2003 have increased 45.4%, or nearly 9.1% per year. In addition, collections in each category of funding have increased as well. Total LFO collections in 2003, when ESSB 5990 became effective mid-year, were just over \$21.5 million. Total collections in 2008 are expected to exceed \$31.3 million. During this period, restitution and interest payments to crime victims have gone from \$7.9 million to \$14.8 million. Revenue to the state has gone from \$3.5 million to \$3.9 million. While specific statistics are not available to verify this, most clerks feel the number of defendants in compliance with payment schedules has increased significantly, thus improving their chances for a successful re-entry into society. This is evidenced by the continuing trend of increasing numbers of LFO payments being made state-wide.

In the face of a funding source that has remained flat for the past four years, the WSACC has requested additional funding of \$900,000 for the 2009/2010 biennium and ongoing. To support this request, clerks point to the fact that in the time since the current funding level was established staff salaries have increased in most counties by at least 13%, postage rates have increased by 14%, and the number of defendants sentenced annually has increased by 13%. Most of the state funding is used by clerks to pay for staff salaries and mailing notices to defendants. The clerks also point out that as a result of their assuming collection responsibility funds generated to the state have increased by nearly \$450,000 annually.

³ AOC requested and received supplemental funding to increase the volume of monthly statement mailings, and to offset the increase in postage rates.

Summary of Results

2003 and 2004 were both transition years for implementation and management of the various processes, policies and practices necessary for LFO collections in Washington State. The following data compares collection results from 2003 when 5990 became effective, through 2008.⁴ It should be noted that there is significant variation in the results among the counties. It is believed that some of this variation is attributable to demographic factors, some is attributable to the local culture and practice of each county's bench, prosecutor and law enforcement community, local laws addressing additional fines or penalties, and the maturity and resources available for an individual county's collection program.

As noted above, 2005 represents the first full year the clerks were engaged in LFO collections without significant transition occurring. During 2005, twenty-six counties experienced an increase in total LFO collections. Twenty-nine counties experienced an increase in 2006 over 2005 collection levels, twenty-eight counties experienced an increase in 2007 over 2006 collections, and twenty-three counties are experiencing an increase in 2008 collections over 2007 collection levels. Overall, statewide LFO collections have increased by 2.3% during the year. Bear in mind that clerks have managed to continue the trend of growth in collections even during the current down-turn in economic conditions plaguing our state. Total collections have increased by 45.4% since the enactment of ESSB 5990. The largest percentage increases in the current year occurred in the smaller counties, specifically Pend Oreille, Stevens and Skagit counties.⁵ The largest percentage increases in total collections since the implementation of ESSB 5990 have occurred in Benton, Stevens and Franklin counties.⁶ While overall total collections continued to increase in the current year, the rate of growth declined and the number of counties experiencing a decline on total collections grew. Seven counties experienced growth in collections of more than 15% over 2007 levels,⁷ and twenty-four have experienced growth of more than 20% over 2003.⁸

Figure #1 on the next page, demonstrates the overall success being achieved by the re-structuring of the LFO collection program.⁹ During 2003, total LFO collections state-wide were \$21,561,825. During 2004 total collections increased to \$21,736,238, or an increase of 0.7%.

⁴ Actual data gathered for 2008 is from the months of January through September. For purposes of comparison, these figures have been annualized, on the basis of there having been 190 business days during the first nine months of the year, while there are 254 business days during all of 2008, and factoring in a historical 20.1% decline in LFO collections during the month of December.

⁵ Pend Oreille 145.6%; Stevens 96.1%; Skagit 31.1%.

⁶ Benton 279.6%; Stevens 190.8; Franklin 180.0%.

⁷ Garfield 15.9%; Island 20.5%; Kitsap 16.9%; Pend Oreille 145.6%; Skagit 31.1%; Stevens 96.1%; Yakima 15.4%.

⁸ Adams 97.0%; Asotin 67.1%; Benton 279.6%; Chelan 74.3%; Clallam 58.6%; Clark 65.5%; Columbia 24.9%; Cowlitz 33.2%; Franklin 180.0%; Garfield 80.2%; Island 66.1%; Kitsap 82.2%; Lewis 29.3%; Mason 105.4%; Pacific 47.7%; Pend Oreille 55.7%; Skagit 78.9%; Skamania 80.2%; Snohomish 54.0%; Spokane 111.8%; Stevens 190.8%; Thurston 64.4%; Whitman 39.1%; Yakima 22.7%.

⁹ It should be noted that some small transactions share common account coding in the Judicial Accounting Sub System between juvenile and adult LFOs. The effect of this overlap is that exact figures for the breakout of revenues and restitution from adult and juvenile LFO collections cannot be calculated. It is estimated, however, that the effect of this commonality constitutes less than 0.11% of the total transaction amounts being reported. The result of this influence is to slightly overstate revenue items and to slightly understate restitution.

During 2005 total collections increased to \$24,713,728. This represents an increase of 13.7% over the 2004 collection total. 2006 collections increased to \$27,093,957, which represents an increase over 2005 of 9.6%. 2007 collections increased again to \$30,642,271, which represents an increase of 13.1% over 2006 collections. Collections in 2008 are expected to total \$31,355,009, which represents an increase over 2007 of 2.3%, and 45.4% more than total collections in 2003. This increase in collections is significant, especially considering the reduced amount being invested by the State on LFO collections prior to implementation of ESSB 5990, the fact that LFO funding to the clerks has not increased during the last five years, and the difficult economic conditions facing the state at this time.

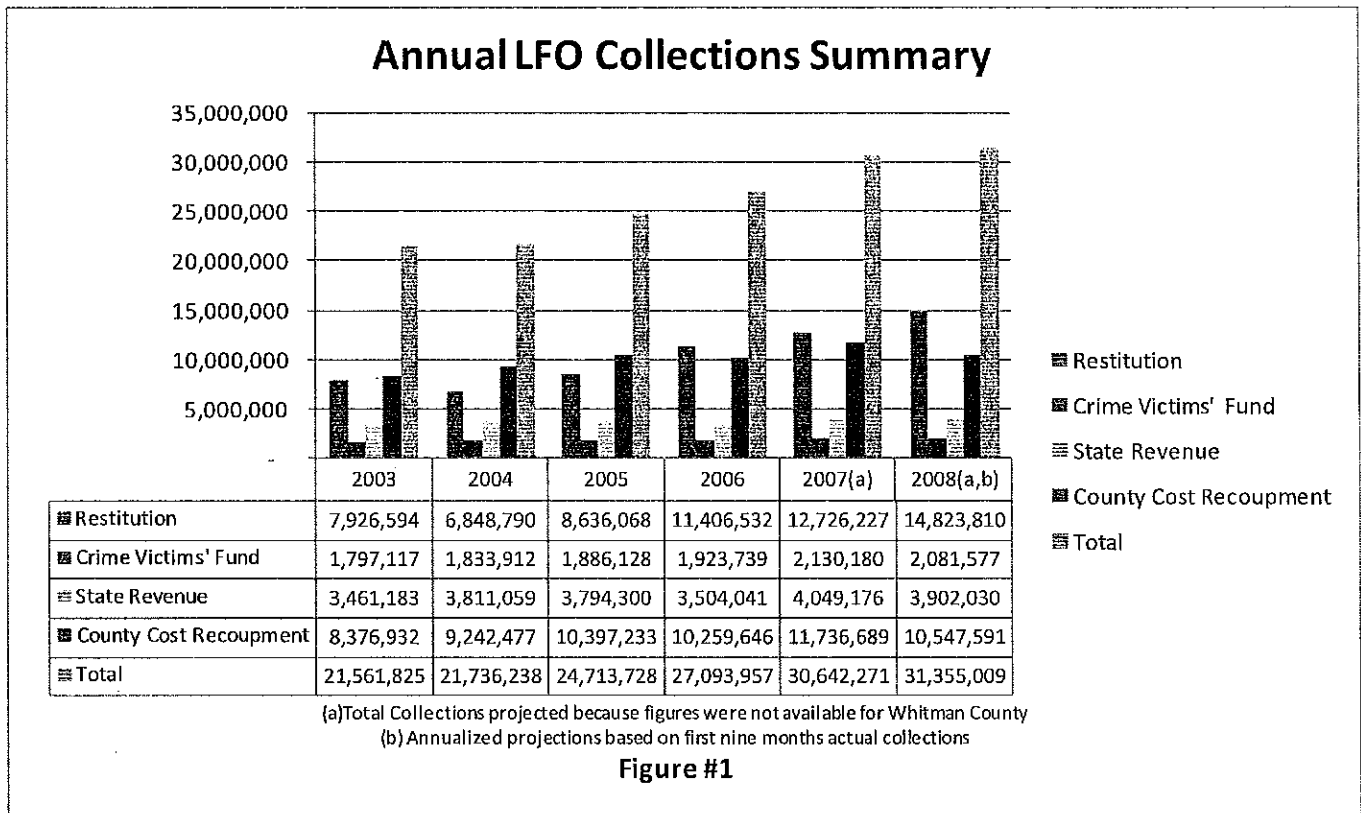


Figure #1

Figures #2 through #7 in the appendix demonstrate the percentage makeup of LFO collections for each of the years from 2003 through 2008. These charts demonstrate a shift in the makeup of funds collected during this period. Initially, implementation of charging collection fees by many clerks' offices caused a slight shift in the makeup of collections in favor of county cost

recoupment.¹⁰ Although these collection fees are smaller than DOC cost of supervision fees, the latter are not included in total LFO collection figures because they are collected by DOC outside of the clerks' accounting system. Clerks' collection fee reimbursement amounts, on the contrary, are included in total collection figures, which cause this apparent shift, while in reality the cost to the obligor is reduced.

Restitution, as a percentage of total collections, continues to be the most rapidly growing component of total collections. During 2008 this component is expected to be near 50% of total collections and it is expected to exceed \$14.8 million. This represents an increase from 2003 of over 87% state-wide! In fact, the nearly 16.5% increase in restitution and restitution interest this year over last year comes at the expense of the other elements of LFO collections.

The portion of funding which goes to Crime Victim Protection funds (CVP) has increased to over \$2.08 million anticipated in 2008, which is down from \$2.13 million in 2007 and up from \$1.80 million 2003. This reflects a decrease during 2008 of 2.3% or \$48,603, yet is still an increase of over 15.8% since implementation of ESSB 5990.

"State Revenue" which includes funds to the Public Safety and Education (PSEA1 and PSEA3) accounts, State Crime Lab and Judicial Information System Account has exhibited performance similar to the CVP discussed above. Collections are expected to be near \$4 million in 2008. This represents an increase of \$440,847 annually, or 12.7% over 2003 collections.

¹⁰ Items included in the category labeled "County Recoupment" include all amounts going to the county, including the county CX fund, the court current expense fund, local drug, cleanup and lab funds, and local fines and penalties. Revenue items included in the category labeled "State Revenue" include all revenues going to the state Public Safety and Education Accounts (PSEA1 and PSEA3), the state Judicial Information System (JIS) account, crime lab funding, the state DNA account, various wildlife related penalties, and the state Indigent Defense fund.

Table #2 below shows the dollar breakdown in collections for each of the years 2003-2008, as well as the percentage change in each fund category for each year over the 2003 base year when ESSB 5990 became effective.

Table #2
Comparison of LFO Collection Totals
In the Years 2003-2008

		Crime			
		Victims'	State	County	
	<u>Restitution</u>	<u>Fund</u>	<u>Revenue</u>	<u>Recoupment</u>	<u>Total</u>
2003	7,926,594	1,797,117	3,461,183	8,376,932	21,561,825
2004	6,848,790	1,833,912	3,811,059	9,242,477	21,736,238
2005	8,636,068	1,886,128	3,794,300	10,397,233	24,713,728
2006	11,406,532	1,923,739	3,504,041	10,259,646	27,093,957
2007	12,726,227	2,130,180	4,049,176	11,736,689	30,642,271
2008	14,823,810	2,081,577	3,902,030	10,547,591	31,355,009
% Change '08/'03	87.01%	15.83%	12.74%	25.91%	45.42%
% Change '08/'04	116.44%	13.50%	2.39%	14.12%	44.25%
% Change '08/'05	71.65%	10.36%	2.84%	1.45%	26.87%
% Change '08/'06	29.96%	8.20%	11.36%	2.81%	15.73%
% Change '08/'07	16.48%	-2.28%	-3.63%	-10.13%	2.33%

Table #2 illustrates a shift in the makeup of total LFO collections during this transition period. During the period from 2005 through 2007 total adult LFO collections continued to increase at a significant rate, while slowing some during 2008. In terms of dollars, restitution and interest on restitution paid to crime victims continued to show the largest increase – more than \$2.1 million over 2007, and nearly \$6.9 million over 2003. It is worth noting that each funding category from LFO collections has increased significantly in terms of real dollars since the enactment of ESSB 5990 and SSB 5256.

During 2003, DOC transitioned most eligible felony cases to the clerks for collection. The impact of this on the defendants is that they are no longer obligated to pay DOC cost of supervision fees of \$200 per year, but may be required to pay clerks' offices for collection services, up to \$100 per year.¹¹ Because the fees to compensate DOC for the cost of supervision are not included elsewhere in these figures, and because the clerks' office collection cost recoupment is reflected in these figures in county recoupment, a small shift in the makeup of funds collected is seen since transition of collection responsibilities in favor of county recoupment. This initial shift, however, has been offset by dramatic increases in collections of restitution and restitution interest for crime victims especially during the past two years.

¹¹ Collection fees of up to \$100 per case per year are allowed by RCW 19.16.500.

Variation (State-Wide & Year-to-Year)

There is considerable variation from one county to the next in the amount of LFO collections as well as in the makeup of those funds collected. Tables #10-15 in the appendix show a breakdown of collections in dollars and percentage of total for each of the years that ESSB 5990 has been in effect. The impact of large, lump-sum payments on LFOs can have a significant impact on LFO collection totals. This can be especially pronounced on smaller counties where, although the general trend in total collections is upwards, one or more large payments in a given year can result in a huge increase in total collections for one year, followed by a decline the following year. The current economic downturn is also taking a toll on LFO collections and may be impacting some counties disproportionately. A significant portion of the defendants who make regular LFO payments are traditionally employed in the construction industry, especially in the more metropolitan areas. Unfortunately, the construction industry is suffering massive job losses at the present time. So, those counties with predominately agricultural economic bases may not see quite as much of a downturn in total collections.

In the current year, funds collected for the Crime Victims' Funds range from a high of 9.8%, (\$175,193) in Snohomish County, to a low of 4.1% (\$1,163) in Ferry County. Likewise, revenue to the state ranges from a proportional low of 9.6% (\$9,287) in San Juan County, to a high of 20.3% (\$132,669) in Chelan County. Restitution and interest ranges from a proportional high of 67.4% (\$19,238) in Ferry County, to a low of 21.0% (\$284,698) in Kitsap County.

Not surprisingly, King County collects the highest total LFO dollar amount (\$5,013,641). However, Clark County has the second highest total collections at \$3,270,685. They are followed by Pierce County (\$2,668,045), Benton County (\$2,627,610), Spokane County (\$2,447,426) and Snohomish County (\$2,138,678). Benton County collects the highest dollar amount of recoupment for the county (\$1,296,225) as compared to \$1,078,620 in King County, followed by Pierce County with \$964,876, and Kitsap County with \$933,844. This represents a change from prior year rankings, and demonstrates how changes in procedures can have a significant impact on these numbers. In prior years, Clark County had led the state in county recoupment. This was due, in large part because they collected substantially all of the public defense recoupment they were eligible for through that county clerk's office. In most other counties these funds are collected and accounted for through other offices (county finance office or public defender's office). Clark County has recently adopted a model similar to that in other counties, resulting in a noticeable change in the make-up of their total collections.

Proceeds to the Crime Victims' Protection fund is again led by King County at \$456,460, followed by Pierce County at \$221,699 and Snohomish County at \$215,992. Similarly, proceeds to the State of Washington are led by King County with \$555,132, followed by Snohomish County with \$411,829, Pierce County with \$350,481 and by Spokane County with \$349,279. The leaders in collection of restitution and restitution interest are Clark County with \$3,050,958, King County with 2,923,428 expected in 2008, followed by Pierce County with \$1,130,990 and Spokane County with \$1,032,474.

The total number of outstanding adult LFO accounts range from 108,303¹² in King County, 65,276 in Pierce County and 30,223 in Spokane County, to 240 in Columbia County, 179 in Wahkiakum County and 122 in Garfield County.¹³ The highest collections per individual LFO tend generally to come from the smaller counties. San Juan County again topped this list with average collections per LFO of \$367.11 (with 251 total LFOs), followed by Stevens County at \$283.52 per LFO (with 1524 total LFOs), Columbia County at \$267.14 per LFO (with 240 total LFOs), and Skamania County at \$266.73 per LFO (with 648 total LFOs). This does not suggest, however, that conducting collections is somehow easier in small counties. It is worth taking a look at several large counties where there are established very active collection programs, and some of which benefit from strong prosecutorial or judicial support. Benton County, with 11,582 total LFOs collects an average of \$226.87 per LFO per year, Clark County, with 24,519 total LFOs collects an average of \$133.39 per LFO per year, and Snohomish County, with 20,006 total LFOs collects an average of \$106.90 per LFO per year.

Obviously, there are a number of factors that contribute to these differences. For example, most, but not all counties, charge to help fund the work of LFO collections. This contributes significantly to county recoupment in some jurisdictions, whereas other counties may only charge for collection services in limited situations, or have opted not to charge for collection work at all. Some counties have a number of local fines or penalties charged against certain types of cases. In some counties, public defense recoupment is collected by the clerk as part of the LFO, whereas in other counties this is collected by other entities. In some counties, the bench routinely orders discretionary or locally authorized fines or fees that provide local income, while other jurisdictions do not.

The rate of change of LFO collections from one year to the next also varies significantly by county. Some county clerks have operated LFO collection programs which have been supplemental to DOC collections for a number of years, while other counties have just initiated collection programs with the implementation of ESSB 5990. Other counties have tried engaging independent collection agencies to conduct LFO collections. These situations continue to provide disappointing results which negatively impact total collections.

As discussed previously, the clerks will continue to carefully analyze the practices in those counties that are experiencing the greatest success in LFO collections, and adapt those most successful practices to each county, as appropriate. Thankfully, those counties experiencing success remain willing to share those practices across the state.

¹² Number of outstanding adult A/Rs is as of 9/30/2008.

¹³ Appendix Table 8.

Appendix

Table #1

Criminal Sentencing in Washington State During the Years 1998 through 2002

Criminal Sentences by County Washington Superior Courts (1998-2002)				Distribution Formula	
County	1998-2002 Average	County Share	County Share of 1.8M	Year 1	Year 2
Adams	95	0.30%	\$ 5,425.10	\$ 3,013.94	\$ 2,411.16
Asotin	121	0.39%	\$ 6,935.89	\$ 3,853.27	\$ 3,082.62
Benton	832	2.65%	\$ 47,624.13	\$ 26,457.85	\$ 21,166.28
Chelan	373	1.19%	\$ 21,368.48	\$ 11,871.38	\$ 9,497.10
Clallam	298	0.95%	\$ 17,053.58	\$ 9,474.21	\$ 7,579.37
Clark	1945	6.18%	\$ 111,317.55	\$ 61,843.08	\$ 49,474.47
Columbia	28	0.09%	\$ 1,590.90	\$ 883.84	\$ 707.07
Cowlitz	852	2.71%	\$ 48,768.67	\$ 27,093.71	\$ 21,674.96
Douglas	167	0.53%	\$ 9,533.98	\$ 5,296.66	\$ 4,237.33
Ferry	27	0.09%	\$ 1,533.68	\$ 852.04	\$ 681.63
Franklin	345	1.10%	\$ 19,766.13	\$ 10,981.19	\$ 8,784.95
Garfield	12	0.04%	\$ 686.72	\$ 381.51	\$ 305.21
Grant	631	2.00%	\$ 36,087.21	\$ 20,048.45	\$ 16,038.76
Grays Harbor	470	1.49%	\$ 26,885.15	\$ 14,936.19	\$ 11,948.95
Island	148	0.47%	\$ 8,492.46	\$ 4,718.03	\$ 3,774.42
Jefferson	110	0.35%	\$ 6,294.95	\$ 3,497.19	\$ 2,797.75
King	8279	26.32%	\$ 473,757.70	\$ 263,198.72	\$ 210,558.98
Kitsap	1332	4.23%	\$ 76,226.08	\$ 42,347.82	\$ 33,878.26
Kittitas	207	0.66%	\$ 11,823.05	\$ 6,568.36	\$ 5,254.69
Klickitat	106	0.34%	\$ 6,088.93	\$ 3,382.74	\$ 2,706.19
Lewis	759	2.41%	\$ 43,446.58	\$ 24,136.99	\$ 19,309.59
Lincoln	51	0.16%	\$ 2,895.68	\$ 1,608.71	\$ 1,286.97
Mason	293	0.93%	\$ 16,744.56	\$ 9,302.53	\$ 7,442.03
Okanogan	256	0.81%	\$ 14,638.61	\$ 8,132.56	\$ 6,506.05
Pacific	115	0.36%	\$ 6,558.19	\$ 3,643.44	\$ 2,914.75
Pend Oreille	53	0.17%	\$ 3,044.47	\$ 1,691.37	\$ 1,353.10
Pierce	5101	16.22%	\$ 291,925.30	\$ 162,180.72	\$ 129,744.58
San Juan	36	0.11%	\$ 2,037.27	\$ 1,131.82	\$ 905.45
Skagit	421	1.34%	\$ 24,092.48	\$ 13,384.71	\$ 10,707.77
Skamania	64	0.20%	\$ 3,685.41	\$ 2,047.45	\$ 1,637.96
Snohomish	1933	6.15%	\$ 110,630.83	\$ 61,461.57	\$ 49,169.26
Spokane	1658	5.27%	\$ 94,893.46	\$ 52,718.59	\$ 42,174.87
Stevens	173	0.55%	\$ 9,911.68	\$ 5,506.49	\$ 4,405.19
Thurston	1434	4.56%	\$ 82,063.22	\$ 45,590.68	\$ 36,472.54
Wahkiakum	19	0.06%	\$ 1,064.42	\$ 591.34	\$ 473.07
Walla Walla	274	0.87%	\$ 15,703.03	\$ 8,723.91	\$ 6,979.12
Whatcom	870	2.76%	\$ 49,764.42	\$ 27,646.90	\$ 22,117.52
Whitman	88	0.28%	\$ 5,013.07	\$ 2,785.04	\$ 2,228.03
Yakima	1479	4.70%	\$ 84,626.98	\$ 47,014.99	\$ 37,611.99
State Total	31454	100.00%	\$ 1,800,000.00	\$ 1,000,000.00	\$ 800,000.00

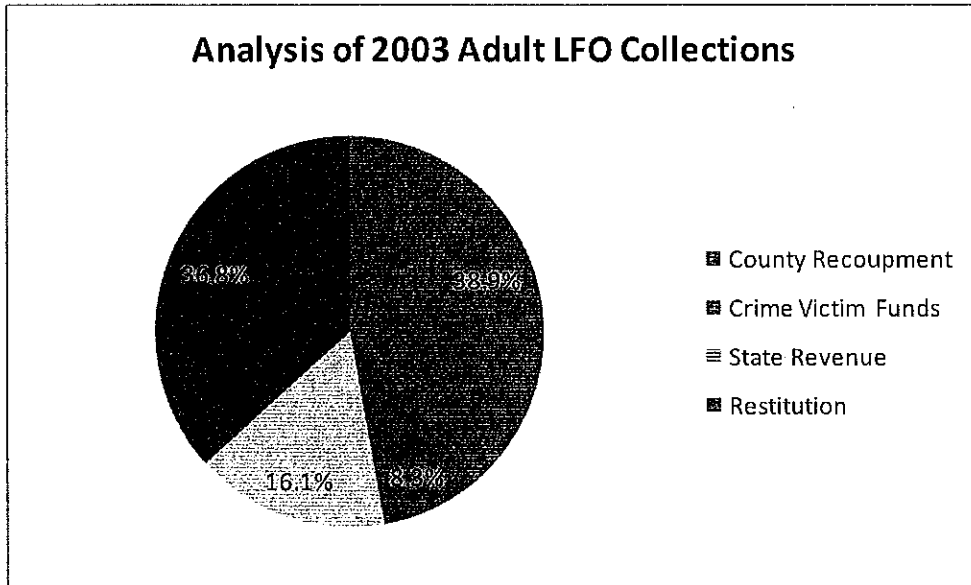


Figure #2

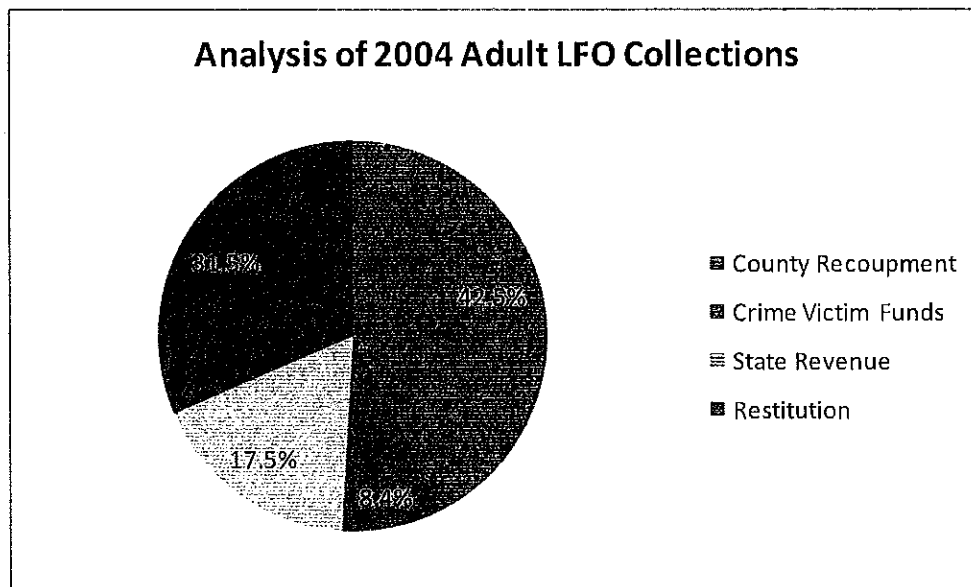


Figure #3

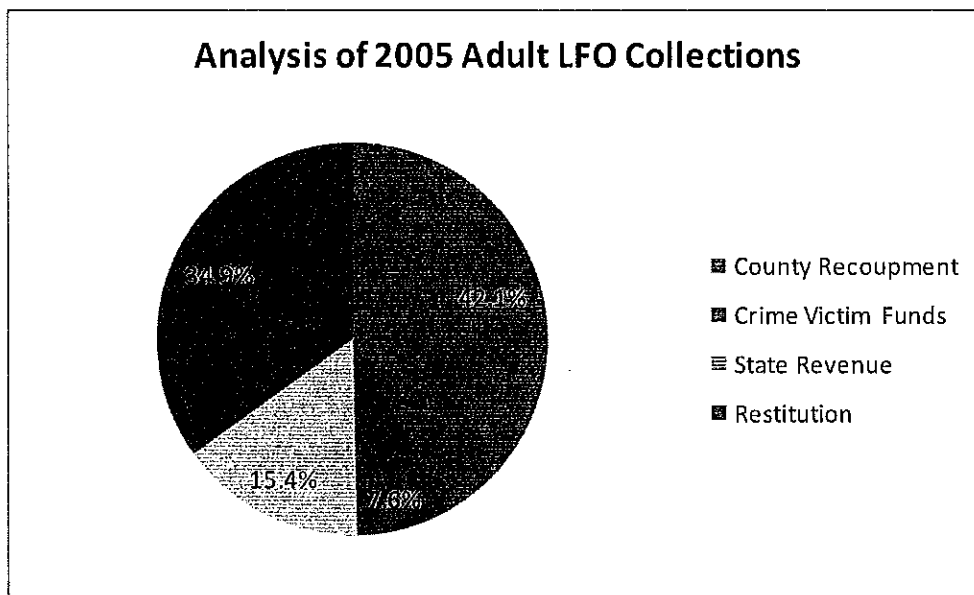


Figure #4

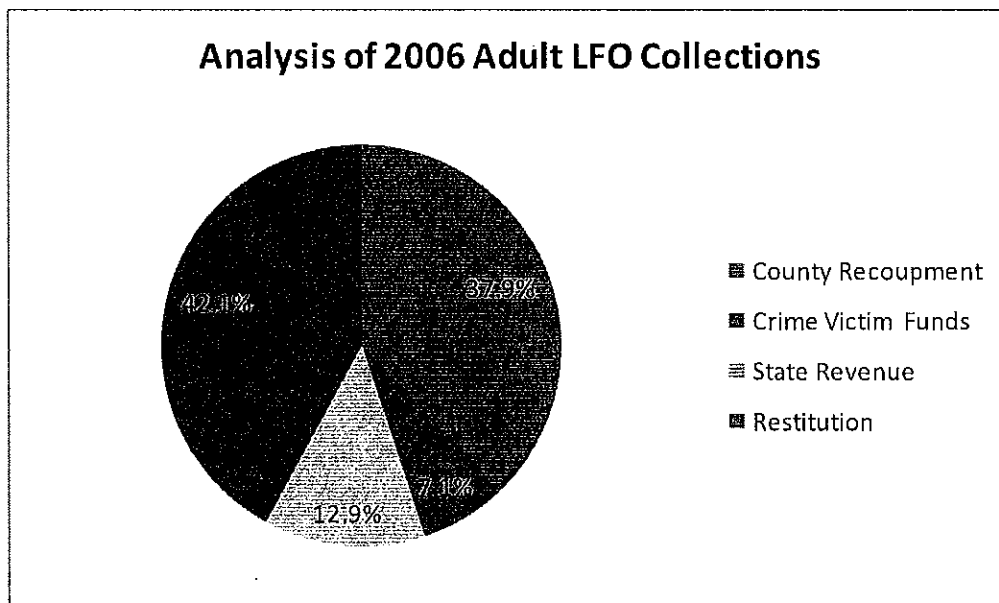


Figure #5

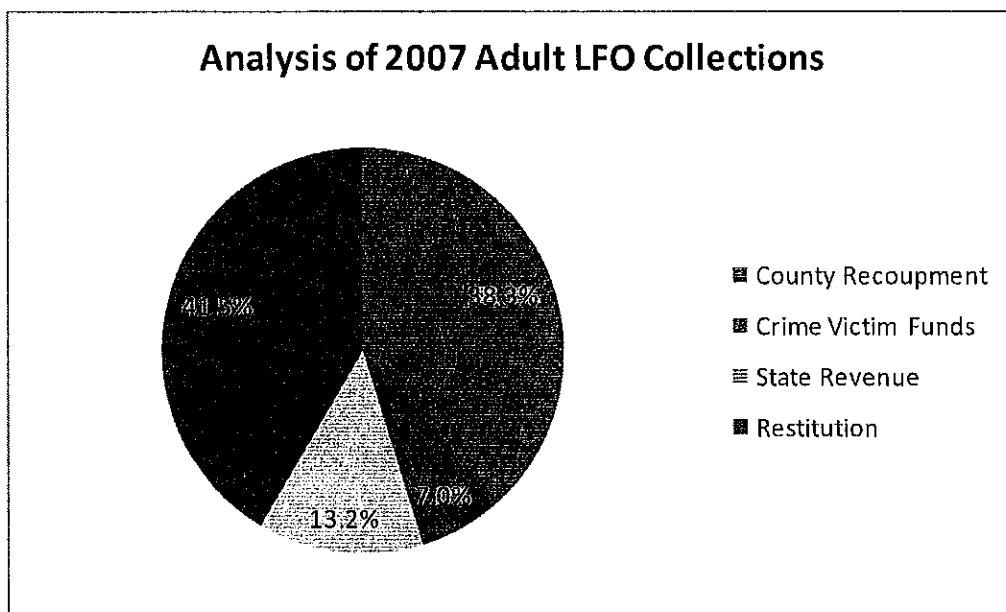


Figure #6

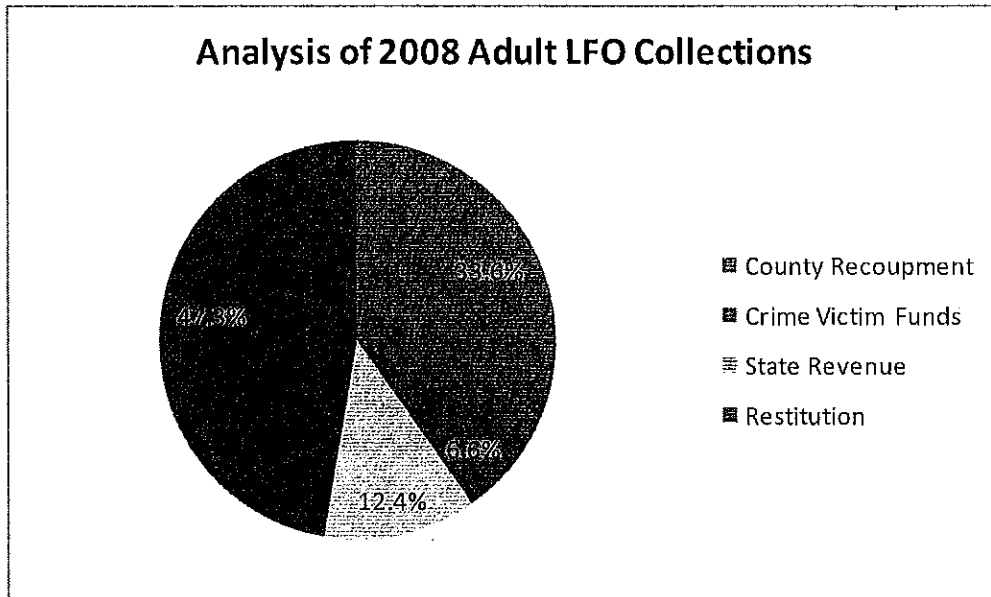


Figure #7

Table #8

**Average Dollars Collected per Open Account Receivable
During the Year 2008**

Average Dollars Collected per AR	2008	No. of LFOs
Adams	\$ 104.55	1,558
Asotin	\$ 195.22	1,473
Benton	\$ 226.87	11,582
Chelan	\$ 136.39	5,160
Clallam	\$ 119.30	3,682
Clark	\$ 133.39	24,519
Columbia	\$ 267.14	240
Cowlitz	\$ 64.00	11,194
Douglas	\$ 190.55	1,823
Ferry	\$ 89.05	312
Franklin	\$ 109.10	5,250
Garfield	\$ 190.46	122
Grant	\$ 77.71	7,043
Grays Harbor	\$ 44.26	6,805
Island	\$ 158.43	1,682
Jefferson	\$ 135.79	966
King	\$ 46.29	108,303
Kitsap	\$ 86.57	17,858
Kittitas	\$ 138.65	2,208
Klickitat	\$ 111.02	1,324
Lewis	\$ 83.58	9,039
Lincoln	\$ 75.83	621
Mason	\$ 123.19	3,217
Okanogan	\$ 89.22	2,631
Pacific	\$ 102.63	1,565
Pend Oreille	\$ 188.82	353
Pierce	\$ 40.87	65,276
San Juan	\$ 367.11	251
Skagit	\$ 121.02	5,548
Skamania	\$ 266.73	648
Snohomish	\$ 106.90	20,006
Spokane	\$ 80.98	30,223
Stevens	\$ 283.52	1,524
Thurston	\$ 91.88	17,217
Wahkiakum	\$ 173.96	179
Walla Walla	\$ 95.72	3,700
Whatcom	\$ 53.41	12,781
Whitman*	\$ 230.29	846
Yakima	\$ 31.22	23,211
		411,940

Table #9**Percentage Change in Total Collections**

Percent Change In Total Collections	2008	2007	Percent Change
Adams	162,892	170,309	-4.36%
Asotin	287,554	287,784	-0.08%
Benton	2,627,610	2,286,911	14.90%
Chelan	703,786	673,588	4.48%
Clallam	439,250	400,049	9.80%
Clark	3,270,685	2,984,034	9.61%
Columbia	64,114	59,756	7.29%
Cowlitz	716,411	746,791	-4.07%
Douglas	347,369	353,454	-1.72%
Ferry	27,783	26,199	6.05%
Franklin	572,763	547,359	4.64%
Garfield	23,236	20,041	15.94%
Grant	547,296	496,589	10.21%
Grays Harbor	301,183	421,259	-28.50%
Island	266,473	221,136	20.50%
Jefferson	131,171	171,929	-23.71%
King	5,013,641	5,257,289	-4.63%
Kitsap	1,545,992	1,322,873	16.87%
Kittitas	306,134	305,533	0.20%
Klickitat	146,991	129,172	13.80%
Lewis	755,501	790,620	-4.44%
Lincoln	47,093	49,427	-4.72%
Mason	396,292	366,977	7.99%
Okanogan	234,730	225,313	4.18%
Pacific	160,616	154,864	3.71%
Pend Oreille	66,655	27,141	145.59%
Pierce	2,668,045	2,837,836	-5.98%
San Juan	92,144	111,302	-17.21%
Skagit	671,393	512,119	31.10%
Skamania	172,843	181,374	-4.70%
Snohomish	2,138,678	1,867,702	14.51%
Spokane	2,447,426	2,742,565	-10.76%
Stevens	432,089	220,312	96.13%
Thurston	1,581,829	1,583,873	-0.13%
Wahkiakum	31,139	40,978	-24.01%
Walla Walla	354,147	343,519	3.09%
Whatcom	682,659	886,089	-22.96%
Whitman	194,825	190,422	2.31%
Yakima	724,569	627,783	15.42%
	31,355,009	30,642,271	2.33%

Table #10
2003 Adult LFO Collections
in Dollars and Percent, by County

				Crime					
		County		Victims'		State			
		Recoupment	Crime	Fund		Revenue		Restitution	
	County	% of	Victims'	% of	State	% of		% of	
2003	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	42,127	50.94%	5,282	6.39%	17,568	21.24%	17,716	21.42%	82,692
Asotin	92,025	53.49%	11,775	6.84%	33,065	19.22%	35,189	20.45%	172,054
Benton	307,404	44.41%	46,218	6.68%	122,325	17.67%	216,265	31.24%	692,213
Chelan	141,904	35.14%	29,669	7.35%	61,170	15.15%	171,111	42.37%	403,853
Clallam	118,939	42.94%	18,563	6.70%	36,201	13.07%	103,267	37.28%	276,970
Clark	1,082,314	54.76%	110,628	5.60%	325,198	16.45%	458,398	23.19%	1,976,539
Columbia	17,925	34.91%	2,794	5.44%	5,671	11.04%	24,954	48.60%	51,344
Cowlitz	268,847	49.97%	47,988	8.92%	86,214	16.02%	134,987	25.09%	538,036
Douglas	102,181	45.04%	14,466	6.38%	38,234	16.85%	71,980	31.73%	226,862
Ferry	6,508	24.65%	2,026	7.67%	3,386	12.82%	14,486	54.86%	26,406
Franklin	136,010	66.49%	16,043	7.84%	49,762	24.33%	2,750	1.34%	204,565
Garfield	6,104	47.34%	976	7.57%	2,636	20.44%	3,179	24.65%	12,894
Grant	217,639	38.80%	58,088	10.36%	97,687	17.42%	187,476	33.42%	560,889
Grays Harbor	143,368	43.35%	22,322	6.75%	55,245	16.71%	109,768	33.19%	330,704
Island	60,149	37.50%	14,084	8.78%	27,154	16.93%	34,768	21.68%	160,398
Jefferson	101,935	28.68%	12,085	3.40%	29,674	8.35%	211,724	59.57%	355,417
King	1,017,505	23.21%	420,835	9.60%	616,637	14.07%	2,328,314	53.12%	4,383,292
Kitsap	486,660	57.37%	51,498	6.07%	97,387	11.48%	212,794	25.08%	848,338
Kittitas	113,480	41.25%	20,753	7.54%	46,855	17.03%	93,987	34.17%	275,075
Klickitat	78,187	55.85%	10,883	7.77%	27,926	19.95%	23,000	16.43%	139,995
Lewis	390,362	66.80%	43,003	7.36%	143,929	24.63%	7,052	1.21%	584,346
Lincoln	22,331	41.54%	2,945	5.48%	8,389	15.60%	20,094	37.38%	53,759
Mason	94,277	48.87%	18,823	9.76%	35,269	18.28%	44,543	23.09%	192,912
Okanogan	68,629	34.95%	16,833	8.57%	34,559	17.60%	76,331	38.87%	196,353
Pacific	47,026	43.25%	4,814	4.43%	12,293	11.31%	44,597	41.02%	108,730
Pend Oreille	13,440	31.40%	3,476	8.12%	7,285	17.02%	18,603	43.46%	42,802
Pierce	928,846	34.07%	287,051	10.53%	440,155	16.14%	1,070,262	39.26%	2,726,314
San Juan	37,267	44.41%	3,718	4.43%	12,765	15.21%	30,173	35.95%	83,923
Skagit	69,732	18.58%	25,910	6.90%	50,021	13.33%	229,721	61.20%	375,385
Skamania	43,609	45.47%	6,364	6.64%	15,339	15.99%	30,596	31.90%	95,909
Snohomish	416,809	30.01%	147,382	10.61%	264,546	19.05%	559,949	40.32%	1,388,686
Spokane	332,088	28.74%	90,578	7.84%	171,255	14.82%	561,463	48.60%	1,155,385
Stevens	51,439	34.61%	15,319	10.31%	27,841	18.73%	54,008	36.34%	148,607
Thurston	426,200	44.28%	97,759	10.16%	181,646	18.87%	256,879	26.69%	962,485
Wahkiakum	26,210	63.66%	3,275	7.96%	7,802	18.95%	3,881	9.43%	41,169
Walla Walla	118,950	37.10%	17,305	5.40%	37,550	11.71%	146,778	45.78%	320,583
Whatcom	415,605	63.00%	49,636	7.52%	127,302	19.30%	67,130	10.18%	659,673
Whitman	73,182	52.27%	9,104	6.50%	20,152	14.39%	37,579	26.84%	140,016
Yakima	259,720	43.98%	36,847	6.24%	83,092	14.07%	210,839	35.71%	590,497
Total	8,376,932	38.81%	1,797,117	8.33%	3,461,183	16.03%	7,926,594	36.72%	21,586,070

Table #11
2004 Adult LFO Collections
in Dollars and Percent, by County

				Crime					
		County		Victims'		State			
		Recoupment	Crime	Fund		Revenue		Restitution	
	County	% of	Victims'	% of	State	% of		% of	
2004	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	42,741	49.66%	6,823	7.93%	19,019	22.10%	17,482	20.31%	86,065
Asotin	121,586	54.80%	15,126	6.82%	43,109	19.43%	42,050	18.95%	221,870
Benton	464,065	53.71%	52,026	6.02%	144,553	16.73%	203,401	23.54%	864,045
Chelan	181,717	37.56%	31,925	6.60%	68,842	14.23%	201,341	41.61%	483,824
Clallam	144,558	40.24%	23,296	6.48%	42,569	11.85%	148,854	41.43%	359,277
Clark	1,255,474	61.73%	103,896	5.11%	319,095	15.69%	355,507	17.48%	2,033,971
Columbia	27,792	46.38%	3,461	5.77%	8,955	14.94%	19,718	32.90%	59,925
Cowlitz	367,209	55.78%	59,098	8.98%	118,456	18.00%	113,496	17.24%	658,259
Douglas	115,610	48.44%	16,466	6.90%	43,201	18.10%	63,397	26.56%	238,674
Ferry	7,389	30.46%	1,768	7.29%	4,363	17.99%	10,741	44.27%	24,261
Franklin	134,144	54.38%	16,836	6.83%	50,314	20.40%	45,381	18.40%	246,674
Garfield	14,336	44.19%	1,386	4.27%	5,797	17.87%	10,919	33.66%	32,439
Grant	219,889	41.14%	55,876	10.45%	99,424	18.60%	159,331	29.81%	534,519
Grays Harbor	128,148	42.98%	19,919	6.68%	55,357	18.57%	94,749	31.78%	298,173
Island	56,461	37.49%	13,437	8.92%	25,242	16.76%	55,482	36.84%	150,622
Jefferson	85,419	49.98%	7,271	4.25%	16,033	9.38%	62,196	36.39%	170,918
King	1,232,627	31.81%	437,227	11.28%	655,384	16.91%	1,550,107	40.00%	3,875,345
Kitsap	592,335	60.22%	59,491	6.05%	113,930	11.58%	217,801	22.14%	983,556
Kittitas	88,491	40.03%	18,640	8.43%	34,188	15.46%	79,767	36.08%	221,086
Klickitat	91,581	57.06%	12,707	7.92%	31,515	19.63%	24,706	15.39%	160,509
Lewis	288,101	40.80%	46,327	6.56%	145,169	20.56%	226,452	32.07%	706,048
Lincoln	25,294	35.80%	2,722	3.85%	9,913	14.03%	32,723	46.32%	70,652
Mason	104,740	42.48%	19,022	7.72%	44,438	18.02%	78,336	31.77%	246,537
Okanogan	47,709	22.88%	15,735	7.55%	31,908	15.30%	113,146	54.27%	208,497
Pacific	52,569	44.53%	3,563	3.02%	11,478	9.72%	50,446	42.73%	118,055
Pend Oreille	14,836	37.26%	4,195	10.54%	8,391	21.07%	12,395	31.13%	39,817
Pierce	1,083,861	44.38%	265,025	10.85%	515,405	21.11%	577,715	23.66%	2,442,007
San Juan	26,574	28.66%	3,663	3.95%	12,376	13.35%	50,111	54.04%	92,724
Skagit	69,356	14.47%	28,283	5.90%	49,985	10.43%	331,599	69.20%	479,223
Skamania	58,503	49.74%	7,035	5.98%	17,193	14.62%	34,876	29.65%	117,607
Snohomish	374,089	27.83%	142,786	10.62%	235,918	17.55%	591,534	44.00%	1,344,327
Spokane	500,917	37.14%	111,687	8.28%	217,099	16.09%	519,180	38.49%	1,348,883
Stevens	49,105	32.08%	17,824	11.64%	30,606	19.99%	55,557	36.29%	153,093
Thurston	485,377	47.12%	98,822	9.59%	198,260	19.25%	247,701	24.04%	1,030,160
Wahkiakum	20,257	66.68%	2,049	6.74%	5,588	18.40%	2,483	8.17%	30,377
Walla Walla	98,562	40.94%	15,584	6.47%	31,251	12.98%	95,373	39.61%	240,770
Whatcom	353,950	59.95%	44,891	7.60%	115,215	19.51%	76,345	12.93%	590,401
Whitman	88,260	39.91%	13,339	6.03%	34,187	15.46%	85,341	38.59%	221,127
Yakima	240,604	43.59%	34,686	6.28%	85,579	15.51%	191,052	34.62%	551,921
Total	9,242,477	42.52%	1,833,912	8.44%	3,811,059	17.53%	6,848,790	31.51%	21,736,238

Table #12
2005 Adult LFO Collections
in Dollars and Percent, by County

				Crime					
		County		Victims'		State			
		Recoupment	Crime	Fund		Revenue		Restitution	
	County	% of	Victims'	% of	State	% of		% of	
2005	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	41,801	47.85%	7,061	8.08%	20,624	23.61%	17,877	20.46%	87,363
Asotin	169,881	61.03%	15,550	5.59%	54,435	19.55%	38,503	13.83%	278,368
Benton	712,096	54.07%	68,070	5.17%	184,030	13.97%	352,734	26.78%	1,316,930
Chelan	232,738	40.13%	40,902	7.05%	105,188	18.14%	201,189	34.69%	580,017
Clallam	143,872	39.68%	24,965	6.88%	46,994	12.96%	146,786	40.48%	362,617
Clark	1,340,486	52.40%	102,742	4.02%	270,945	10.59%	844,210	33.00%	2,558,383
Columbia	25,589	25.11%	3,507	3.44%	10,177	9.99%	62,631	61.46%	101,905
Cowlitz	394,833	56.36%	60,265	8.60%	121,134	17.29%	124,361	17.75%	700,592
Douglas	136,472	42.09%	20,063	6.19%	55,209	17.03%	112,486	34.69%	324,231
Ferry	10,859	33.16%	2,018	6.16%	5,936	18.13%	13,931	42.54%	32,744
Franklin	151,584	50.68%	18,852	6.30%	61,376	20.52%	67,306	22.50%	299,117
Garfield	9,607	53.90%	1,211	6.79%	5,155	28.92%	1,852	10.39%	17,825
Grant	218,815	44.46%	48,821	9.92%	96,126	19.53%	128,350	26.08%	492,111
Grays Harbor	137,552	43.84%	21,028	6.70%	60,000	19.12%	95,205	30.34%	313,785
Island	72,829	41.71%	15,599	8.93%	34,781	19.92%	51,410	29.44%	174,618
Jefferson	54,753	38.26%	8,851	6.18%	16,236	11.34%	63,279	44.21%	143,118
King	1,318,026	28.12%	464,998	9.92%	674,582	14.39%	2,229,463	47.57%	4,687,068
Kitsap	733,949	61.47%	67,095	5.62%	137,936	11.55%	255,010	21.36%	1,193,990
Kittitas	115,353	52.97%	16,834	7.73%	33,852	15.55%	51,713	23.75%	217,752
Klickitat	59,134	42.12%	11,542	8.22%	26,203	18.67%	43,499	30.99%	140,378
Lewis	426,459	49.89%	49,193	5.75%	157,856	18.47%	221,304	25.89%	854,813
Lincoln	18,791	42.13%	2,640	5.92%	8,311	18.63%	14,863	33.32%	44,606
Mason	167,457	53.89%	23,196	7.47%	54,372	17.50%	65,693	21.14%	310,717
Okanogan	97,038	48.28%	17,642	8.78%	42,285	21.04%	44,040	21.91%	201,006
Pacific	71,745	56.01%	3,671	2.87%	16,579	12.94%	36,103	28.18%	128,099
Pend Oreille	21,496	45.13%	3,784	7.94%	9,812	20.60%	12,540	26.33%	47,632
Pierce	879,007	34.21%	230,691	8.98%	392,908	15.29%	1,066,557	41.51%	2,569,162
San Juan	23,769	29.07%	2,959	3.62%	7,742	9.47%	47,302	57.85%	81,772
Skagit	110,500	19.21%	33,871	5.89%	73,883	12.85%	356,857	62.05%	575,110
Skamania	48,721	50.73%	7,336	7.64%	17,314	18.03%	22,670	23.60%	96,041
Snohomish	364,725	28.14%	121,635	9.38%	220,246	16.99%	589,623	45.49%	1,296,230
Spokane	592,646	41.50%	135,401	9.48%	256,930	17.99%	443,239	31.03%	1,428,216
Stevens	48,909	29.04%	18,067	10.73%	32,119	19.07%	69,328	41.16%	168,423
Thurston	524,293	47.38%	100,855	9.11%	200,680	18.14%	280,722	25.37%	1,106,549
Wahkiakum	25,142	60.97%	2,125	5.15%	5,568	13.50%	8,398	20.37%	41,233
Walla Walla	111,303	34.22%	16,007	4.92%	35,869	11.03%	162,119	49.84%	325,298
Whatcom	477,698	61.62%	49,585	6.40%	125,968	16.25%	121,961	15.73%	775,212
Whitman	80,422	38.58%	15,189	7.29%	30,716	14.73%	82,146	39.40%	208,472
Yakima	226,884	52.49%	32,306	7.47%	84,224	19.49%	88,808	20.55%	432,222
Total	10,397,233	42.07%	1,886,128	7.63%	3,794,300	15.35%	8,636,068	34.94%	24,713,728

Table #13
2006 Adult LFO Collections
in Dollars and Percent, by County

	County		Crime Victims'		State				
	Recoupment	Crime	Fund		Revenue		Restitution		
	County	% of	Victims'	% of	State	% of		% of	
2006	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	44,353	41.21%	7,970	7.40%	17,454	16.22%	37,860	35.17%	107,637
Asotin	122,482	46.85%	12,031	4.60%	34,862	13.33%	92,076	35.22%	261,451
Benton	776,334	43.34%	93,229	5.20%	201,752	11.26%	719,955	40.19%	1,791,270
Chelan	301,887	46.09%	53,542	8.17%	142,448	21.75%	157,078	23.98%	654,954
Clallam	127,336	30.81%	24,170	5.85%	42,457	10.27%	219,387	53.08%	413,350
Clark	1,625,676	54.65%	116,465	3.91%	316,902	10.65%	915,874	30.79%	2,974,916
Columbia	23,945	36.86%	3,221	4.96%	7,666	11.80%	30,137	46.39%	64,969
Cowlitz	393,609	54.45%	62,102	8.59%	115,774	16.02%	151,390	20.94%	722,875
Douglas	106,785	34.17%	20,425	6.54%	42,203	13.50%	143,096	45.79%	312,509
Ferry	8,975	34.74%	1,786	6.91%	4,892	18.93%	10,186	39.42%	25,839
Franklin	97,998	26.77%	20,070	5.48%	52,716	14.40%	195,318	53.35%	366,101
Garfield	10,404	34.08%	2,007	6.57%	3,603	11.80%	14,513	47.54%	30,528
Grant	187,128	40.98%	41,341	9.05%	77,497	16.97%	150,667	33.00%	456,632
Grays Harbor	145,619	41.49%	20,996	5.98%	58,973	16.80%	125,385	35.72%	350,973
Island	68,643	31.11%	15,551	7.05%	29,133	13.20%	107,306	48.64%	220,632
Jefferson	81,975	53.51%	9,318	6.08%	18,914	12.35%	42,992	28.06%	153,199
King	1,006,840	21.03%	421,690	8.81%	450,463	9.41%	2,909,256	60.76%	4,788,249
Kitsap	801,471	60.70%	72,308	5.48%	148,553	11.25%	298,141	22.58%	1,320,473
Kittitas	96,903	36.03%	19,059	7.09%	32,225	11.98%	120,792	44.91%	268,979
Klickitat	67,907	47.45%	12,229	8.55%	24,525	17.14%	38,451	26.87%	143,112
Lewis	316,412	43.83%	43,615	6.04%	104,090	14.42%	257,829	35.71%	721,946
Lincoln	19,179	33.33%	3,023	5.25%	7,606	13.22%	27,741	48.20%	57,549
Mason	163,478	39.13%	25,132	6.02%	58,696	14.05%	170,510	40.81%	417,816
Okanogan	62,993	34.60%	15,512	8.52%	28,829	15.83%	74,724	41.04%	182,058
Pacific	94,328	59.00%	6,179	3.86%	14,127	8.84%	45,249	28.30%	159,882
Pend Oreille	16,573	40.35%	3,198	7.78%	6,966	16.96%	14,339	34.91%	41,076
Pierce	883,143	34.30%	222,460	8.64%	362,865	14.09%	1,106,567	42.97%	2,575,035
San Juan	23,077	21.84%	3,955	3.74%	7,475	7.07%	71,167	67.35%	105,674
Skagit	101,360	25.10%	36,048	8.93%	68,803	17.04%	197,549	48.93%	403,759
Skamania	63,081	49.39%	10,359	8.11%	20,151	15.78%	34,132	26.72%	127,723
Snohomish	350,802	21.19%	125,119	7.56%	233,323	14.10%	946,078	57.15%	1,655,321
Spokane	655,931	35.04%	159,152	8.50%	279,950	14.95%	777,035	41.51%	1,872,069
Stevens	53,422	23.75%	17,939	7.98%	29,903	13.29%	123,672	54.98%	224,936
Thurston	582,954	46.28%	109,182	8.67%	210,151	16.68%	357,445	28.37%	1,259,732
Wahkiakum	16,002	57.55%	1,563	5.62%	4,172	15.00%	6,068	21.82%	27,805
Walla Walla	113,425	36.98%	16,729	5.45%	33,491	10.92%	143,091	46.65%	306,736
Whatcom	350,558	49.97%	49,896	7.11%	93,950	13.39%	207,140	29.53%	701,544
Whitman	75,170	32.37%	12,267	5.28%	27,546	11.86%	117,213	50.48%	232,196
Yakima	221,489	37.39%	32,902	5.55%	88,936	15.01%	249,121	42.05%	592,449
Total	10,259,646	37.87%	1,923,739	7.10%	3,504,041	12.93%	11,406,532	42.10%	27,093,957

Table #14
2007 Adult LFO Collections
in Dollars and Percent, by County

				Crime					
		County		Victims'		State			
		Recoupment	Crime	Fund		Revenue		Restitution	
	County	% of	Victims'	% of	State	% of		% of	
2007	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	51,268	30.10%	11,943	7.01%	23,815	13.98%	83,282	48.90%	170,309
Asotin	144,555	50.23%	16,231	5.64%	39,041	13.57%	87,957	30.56%	287,784
Benton	1,097,711	48.00%	114,177	4.99%	257,672	11.27%	817,351	35.74%	2,286,911
Chelan	277,732	41.23%	44,269	6.57%	133,127	19.76%	218,460	32.43%	673,588
Clallam	125,284	31.32%	21,936	5.48%	39,945	9.99%	212,885	53.21%	400,049
Clark	1,770,005	59.32%	123,149	4.13%	340,600	11.41%	750,281	25.14%	2,984,034
Columbia	29,332	49.09%	3,131	5.24%	6,431	10.76%	20,862	34.91%	59,756
Cowlitz	422,272	56.54%	61,965	8.30%	117,612	15.75%	144,942	19.41%	746,791
Douglas	121,431	34.36%	23,696	6.70%	54,374	15.38%	153,953	43.56%	353,454
Ferry	5,595	21.36%	1,106	4.22%	2,711	10.35%	16,786	64.07%	26,199
Franklin	276,064	50.44%	27,137	4.96%	66,095	12.08%	178,063	32.53%	547,359
Garfield	8,091	40.37%	1,608	8.03%	2,572	12.83%	7,769	38.77%	20,041
Grant	216,768	43.65%	44,025	8.87%	89,778	18.08%	146,019	29.40%	496,589
Grays Harbor	141,575	33.61%	21,702	5.15%	58,100	13.79%	199,882	47.45%	421,259
Island	71,320	32.25%	15,384	6.96%	31,415	14.21%	103,017	46.59%	221,136
Jefferson	81,534	47.42%	8,462	4.92%	17,147	9.97%	64,786	37.68%	171,929
King	1,189,180	22.62%	459,341	8.74%	564,157	10.73%	3,044,611	57.91%	5,257,289
Kitsap	808,870	61.14%	72,234	5.46%	158,257	11.96%	283,512	21.43%	1,322,873
Kititas	123,233	40.33%	21,621	7.08%	38,185	12.50%	122,494	40.09%	305,533
Klickitat	55,238	42.76%	10,363	8.02%	23,637	18.30%	39,934	30.92%	129,172
Lewis	355,215	44.93%	48,641	6.15%	120,086	15.19%	266,678	33.73%	790,620
Lincoln	18,708	37.85%	4,066	8.23%	8,375	16.94%	18,277	36.98%	49,427
Mason	179,027	48.78%	24,752	6.74%	55,683	15.17%	107,515	29.30%	366,977
Okanogan	79,079	35.10%	18,795	8.34%	40,474	17.96%	86,966	38.60%	225,313
Pacific	65,221	42.12%	8,473	5.47%	21,904	14.14%	59,266	38.27%	154,864
Pend Oreille	14,409	53.09%	3,281	12.09%	6,167	22.72%	3,283	12.10%	27,141
Pierce	927,023	32.67%	215,549	7.60%	354,999	12.51%	1,340,265	47.23%	2,837,836
San Juan	26,775	24.06%	4,122	3.70%	9,415	8.46%	70,990	63.78%	111,302
Skagit	129,690	25.32%	39,304	7.67%	80,562	15.73%	262,563	51.27%	512,119
Skamania	61,143	33.71%	13,739	7.58%	24,572	13.55%	81,920	45.17%	181,374
Spnohomish	511,378	27.38%	183,339	9.82%	351,598	18.83%	821,386	43.98%	1,867,702
Spokane	841,369	30.68%	199,226	7.26%	355,869	12.98%	1,346,101	49.08%	2,742,565
Stevens	54,722	24.84%	20,922	9.50%	33,852	15.37%	110,815	50.30%	220,312
Thurston	647,053	40.85%	121,403	7.66%	259,431	16.38%	555,986	35.10%	1,583,873
Wahkiakum	22,353	54.55%	2,479	6.05%	6,359	15.52%	9,787	23.88%	40,978
Walla Walla	129,894	37.81%	16,938	4.93%	32,770	9.54%	163,918	47.72%	343,519
Whatcom	361,287	40.77%	56,593	6.39%	104,736	11.82%	363,473	41.02%	886,089
Whitman*	59,422	31.21%	12,133	6.37%	24,990	13.12%	93,876	49.30%	190,422
Yakima	235,864	37.57%	32,941	5.25%	92,663	14.76%	266,316	42.42%	627,783
Total	11,736,689	38.30%	2,130,180	6.95%	4,049,176	13.21%	12,726,227	41.53%	30,642,271

Table #15

**2008 Adult LFO Collections
in Dollars and Percent, by County**

				Crime					
		County		Victims'		State			
		Recoupment	Crime	Fund		Revenue		Restitution	
	County	% of	Victims'	% of	State	% of		% of	
2008 Annualized	Recoupment	Total	Fund	Total	Revenue	Total	Restitution	Total	Total
Adams	53,818	33.04%	12,313	7.56%	28,980	17.79%	67,780	41.61%	162,892
Asotin	157,191	54.66%	11,984	4.17%	36,046	12.54%	82,333	28.63%	287,554
Benton	1,296,225	49.33%	127,826	4.86%	296,107	11.27%	907,452	34.54%	2,627,610
Chelan	310,336	44.10%	45,470	6.46%	134,658	19.13%	213,322	30.31%	703,786
Clallam	152,259	34.66%	24,031	5.47%	43,570	9.92%	219,390	49.95%	439,250
Clark	173,406	5.30%	13,340	0.41%	32,981	1.01%	3,050,958	93.28%	3,270,685
Columbia	24,532	38.26%	3,312	5.17%	7,098	11.07%	29,173	45.50%	64,114
Cowlitz	386,316	53.92%	59,529	8.31%	113,356	15.82%	157,210	21.94%	716,411
Douglas	117,234	33.75%	21,147	6.09%	48,614	13.99%	160,374	46.17%	347,369
Ferry	7,334	26.40%	2,246	8.08%	3,954	14.23%	14,249	51.29%	27,783
Franklin	297,258	51.90%	27,558	4.81%	68,596	11.98%	179,350	31.31%	572,763
Garfield	8,932	38.44%	1,677	7.22%	2,960	12.74%	9,667	41.60%	23,236
Grant	204,149	37.30%	51,060	9.33%	103,876	18.98%	188,212	34.39%	547,296
Grays Harbor	133,248	44.24%	21,014	6.98%	61,432	20.40%	85,489	28.38%	301,183
Island	80,386	30.17%	15,025	5.64%	33,131	12.43%	137,931	51.76%	266,473
Jefferson	84,267	64.24%	7,881	6.01%	19,732	15.04%	19,292	14.71%	131,171
King	1,078,620	21.51%	456,460	9.10%	555,132	11.07%	2,923,428	58.31%	5,013,641
Kitsap	933,844	60.40%	79,605	5.15%	165,246	10.69%	367,298	23.76%	1,545,992
Kittitas	112,254	36.67%	21,041	6.87%	36,957	12.07%	135,883	44.39%	306,134
Klickitat	71,536	48.67%	11,453	7.79%	23,765	16.17%	40,237	27.37%	146,991
Lewis	324,303	42.93%	44,468	5.89%	106,886	14.15%	279,844	37.04%	755,501
Lincoln	20,290	43.08%	3,950	8.39%	8,973	19.05%	13,880	29.47%	47,093
Mason	146,702	37.02%	21,269	5.37%	59,397	14.99%	168,924	42.63%	396,292
Okanogan	73,922	31.49%	19,553	8.33%	41,805	17.81%	99,451	42.37%	234,730
Pacific	64,173	39.95%	9,457	5.89%	22,277	13.87%	64,709	40.29%	160,616
Pend Oreille	36,415	54.63%	4,960	7.44%	6,962	10.44%	18,318	27.48%	66,655
Pierce	964,876	36.16%	221,699	8.31%	350,481	13.14%	1,130,990	42.39%	2,668,045
San Juan	28,832	31.29%	4,438	4.82%	8,747	9.49%	50,127	54.40%	92,144
Skagit	137,523	20.48%	43,737	6.51%	92,238	13.74%	397,895	59.26%	671,393
Skamania	67,166	38.86%	12,682	7.34%	28,688	16.60%	64,307	37.21%	172,843
Snohomish	596,120	27.87%	215,992	10.10%	411,829	19.26%	914,737	42.77%	2,138,678
Spokane	867,752	35.46%	197,921	8.09%	349,279	14.27%	1,032,474	42.19%	2,447,426
Stevens	52,407	12.13%	19,227	4.45%	34,074	7.89%	326,380	75.54%	432,089
Thurston	700,874	44.31%	131,164	8.29%	290,981	18.40%	458,810	29.01%	1,581,829
Wahkiakum	16,595	53.29%	2,314	7.43%	5,498	17.66%	6,732	21.62%	31,139
Walla Walla	135,193	38.17%	19,639	5.55%	37,829	10.68%	161,486	45.60%	354,147
Whatcom	330,214	48.37%	51,586	7.56%	106,197	15.56%	194,662	28.52%	682,659
Whitman*	58,796	30.18%	12,333	6.33%	24,531	12.59%	99,164	50.90%	194,825
Yakima	242,292	33.44%	31,217	4.31%	99,169	13.69%	351,891	48.57%	724,569
Total	10,547,591	33.64%	2,081,577	6.64%	3,902,030	12.44%	14,823,810	47.28%	31,355,009

*Total collections projected based on actual collections in 2006 and Jan-Sep of 2007

Table #16

**Percent Change in 2008 Adult LFO Collections
Over 2007 Collections, by County**

Percent Change by Category, 2008/2007					
	Total	Restitution	Crime		
		& Interest	Victim's	State	County
2008/2007	Collections		Funds	Revenue	Recoupment
Adams	-4.36%	-18.61%	3.10%	21.69%	4.97%
Asotin	-0.08%	-6.39%	-26.17%	-7.67%	8.74%
Benton	14.90%	11.02%	11.95%	14.92%	18.08%
Chelan	4.48%	-2.35%	2.71%	1.15%	11.74%
Clallam	9.80%	3.06%	9.55%	9.07%	21.53%
Clark	9.61%	306.64%	-89.17%	-90.32%	-90.20%
Columbia	7.29%	39.84%	5.75%	10.37%	-16.36%
Cowlitz	-4.07%	8.46%	-3.93%	-3.62%	-8.51%
Douglas	-1.72%	4.17%	-10.76%	-10.59%	-3.46%
Ferry	6.05%	-15.11%	103.04%	45.85%	31.07%
Franklin	4.64%	0.72%	1.55%	3.78%	7.68%
Garfield	15.94%	24.42%	4.26%	15.07%	10.39%
Grant	10.21%	28.90%	15.98%	15.70%	-5.82%
Grays Harbor	-28.50%	-57.23%	-3.17%	5.73%	-5.88%
Island	20.50%	33.89%	-2.34%	5.46%	12.71%
Jefferson	-23.71%	-70.22%	-6.86%	15.08%	3.35%
King	-4.63%	-3.98%	-0.63%	-1.60%	-9.30%
Kitsap	16.87%	29.55%	10.20%	4.42%	15.45%
Kittitas	0.20%	10.93%	-2.68%	-3.22%	-8.91%
Klickitat	13.80%	0.76%	10.52%	0.54%	29.51%
Lewis	-4.44%	4.94%	-8.58%	-10.99%	-8.70%
Lincoln	-4.72%	-24.06%	-2.85%	7.14%	8.45%
Mason	7.99%	57.12%	-14.07%	6.67%	-18.06%
Okanogan	4.18%	14.36%	4.03%	3.29%	-6.52%
Pacific	3.71%	9.18%	11.61%	1.71%	-1.61%
Pend Oreille	145.59%	457.97%	51.15%	12.89%	152.72%
Pierce	-5.98%	-15.61%	2.85%	-1.27%	4.08%
San Juan	-17.21%	-29.39%	7.66%	-7.09%	7.68%
Skagit	31.10%	51.54%	11.28%	14.49%	6.04%
Skamania	-4.70%	-21.50%	-7.69%	16.75%	9.85%
Snohomish	14.51%	11.36%	17.81%	17.13%	16.57%
Spokane	-10.76%	-23.30%	-0.66%	-1.85%	3.14%
Stevens	96.13%	194.53%	-8.10%	0.66%	-4.23%
Thurston	-0.13%	-17.48%	8.04%	12.16%	8.32%
Wahkiakum	-24.01%	-31.21%	-6.68%	-13.54%	-25.76%
Walla Walla	3.09%	-1.48%	15.95%	15.44%	4.08%
Whatcom	-22.96%	-46.44%	-8.85%	1.40%	-8.60%
Whitman*	2.31%	5.63%	1.65%	-1.84%	-1.05%
Yakima	15.42%	32.13%	-5.23%	7.02%	2.73%
Totals	2.33%	16.48%	-2.28%	-3.63%	-10.13%

*Total collection figures were estimated because actuals were not available

Table #17

**Percent Change in Total Adult LFO Collections
by County, by Year**

Percent Change In Total Collections					
	2008/2007	2008/2006	2008/2005	2008/2004	2008/2003
Adams	-4.4%	51.3%	86.5%	89.3%	97.0%
Asotin	-0.1%	10.0%	3.3%	29.6%	67.1%
Benton	14.9%	46.7%	99.5%	204.1%	279.6%
Chelan	4.5%	7.5%	21.3%	45.5%	74.3%
Clallam	9.8%	6.3%	21.1%	22.3%	58.6%
Clark	9.6%	9.9%	27.8%	60.8%	65.5%
Columbia	7.3%	-1.3%	-37.1%	7.0%	24.9%
Cowlitz	-4.1%	-0.9%	2.3%	8.8%	33.2%
Douglas	-1.7%	11.2%	7.1%	45.5%	53.1%
Ferry	6.0%	7.5%	-15.1%	14.5%	5.2%
Franklin	4.6%	56.4%	91.5%	132.2%	180.0%
Garfield	15.9%	-23.9%	30.4%	-28.4%	80.2%
Grant	10.2%	19.9%	11.2%	2.4%	-2.4%
Grays Harbor	-28.5%	-14.2%	-4.0%	1.0%	-8.9%
Island	20.5%	20.8%	52.6%	76.9%	66.1%
Jefferson	-23.7%	-14.4%	-8.3%	-23.3%	-63.1%
King	-4.6%	4.7%	7.0%	29.4%	14.4%
Kitsap	16.9%	17.1%	29.5%	57.2%	82.2%
Kittitas	0.2%	13.8%	40.6%	38.5%	11.3%
Klickitat	13.8%	2.7%	4.7%	-8.4%	5.0%
Lewis	-4.4%	4.6%	-11.6%	7.0%	29.3%
Lincoln	-4.7%	-18.2%	5.6%	-33.3%	-12.4%
Mason	8.0%	-5.2%	27.5%	60.7%	105.4%
Okanogan	4.2%	28.9%	16.8%	12.6%	19.5%
Pacific	3.7%	0.5%	25.4%	36.1%	47.7%
Pend Oreille	145.6%	62.3%	39.9%	67.4%	55.7%
Pierce	-6.0%	3.6%	3.8%	9.3%	-2.1%
San Juan	-17.2%	-12.8%	12.7%	-0.6%	9.8%
Skagit	31.1%	66.3%	16.7%	40.1%	78.9%
Skamania	-4.7%	35.3%	80.0%	47.0%	80.2%
Snohomish	14.5%	29.2%	65.0%	59.1%	54.0%
Spokane	-10.8%	30.7%	71.4%	81.4%	111.8%
Stevens	96.1%	92.1%	156.5%	182.2%	190.8%
Thurston	-0.1%	25.6%	43.0%	53.6%	64.3%
Wahkiakum	-24.0%	12.0%	-24.5%	2.5%	-24.4%
Walla Walla	3.1%	15.5%	8.9%	47.1%	10.5%
Whatcom	-23.0%	-2.7%	-11.9%	15.6%	3.5%
Whitman*	2.3%	-16.1%	-6.5%	-11.9%	39.1%
Yakima	15.4%	22.3%	67.6%	31.3%	22.7%

Table #18

**Criminal Sentencing in Washington State
During the Years 2002 through 2006**

Criminal Sentences by County, Washington Superior Courts (2002-2006)								
Total Sentence Information from "Criminal Case Completions and Sentences" Statistical Report								
County	2002	2003	2004	2005	2006	2002-2006 Average	County Share	County Share of 1.8M
Adams	109	89	167	124	145	127	0.36%	\$ 6,430
Asotin	168	166	206	196	191	185	0.52%	\$ 9,402
Benton	963	895	1165	1501	1354	1176	3.31%	\$ 59,617
Chelan	436	475	472	490	505	476	1.34%	\$ 24,119
Clallam	379	298	390	393	401	372	1.05%	\$ 18,875
Clark	2237	2314	2262	2455	2307	2315	6.52%	\$ 117,399
Columbia	36	18	25	29	16	25	0.07%	\$ 1,258
Cowlitz	1105	1203	1099	1081	1245	1147	3.23%	\$ 58,147
Douglas	178	198	188	209	213	197	0.56%	\$ 10,000
Ferry	26	25	32	35	29	29	0.08%	\$ 1,491
Franklin	326	344	303	357	410	348	0.98%	\$ 17,648
Garfield	13	18	13	16	16	15	0.04%	\$ 771
Grant	720	878	654	782	613	729	2.05%	\$ 36,989
Grays Harbor	546	532	560	605	649	578	1.63%	\$ 29,332
Island	167	221	199	176	194	191	0.54%	\$ 9,706
Jefferson	95	69	74	119	136	99	0.28%	\$ 5,000
King	8656	7636	7883	7765	8431	8074	22.75%	\$ 409,461
Kitsap	1436	1492	1507	1681	1612	1546	4.35%	\$ 78,381
Kittitas	250	288	236	253	274	260	0.73%	\$ 13,195
Klickitat	105	162	146	145	170	146	0.41%	\$ 7,384
Lewis	858	828	830	764	646	785	2.21%	\$ 39,819
Lincoln	57	32	36	47	40	42	0.12%	\$ 2,150
Mason	316	299	303	344	339	320	0.90%	\$ 16,238
Okanogan	259	268	248	268	288	266	0.75%	\$ 13,500
Pacific	106	123	152	184	183	150	0.42%	\$ 7,587
Pend Oreille	35	38	32	37	36	36	0.10%	\$ 1,805
Pierce	5103	4971	4938	4963	5002	4995	14.07%	\$ 253,328
San Juan	28	18	40	49	40	35	0.10%	\$ 1,775
Skagit	457	494	582	562	685	556	1.57%	\$ 28,196
Skamania	46	48	52	100	81	65	0.18%	\$ 3,317
Snohomish	2309	2141	2177	2310	2496	2287	6.44%	\$ 115,959
Spokane	2149	2479	2869	3083	3139	2744	7.73%	\$ 139,144
Stevens	174	188	209	201	192	193	0.54%	\$ 9,777
Thurston	1497	1615	1598	1548	1475	1547	4.36%	\$ 78,432
Wahkiakum	31	20	13	18	21	21	0.06%	\$ 1,045
Walla Walla	339	330	345	343	351	342	0.96%	\$ 17,323
Whatcom	1045	1199	1176	1480	1454	1271	3.58%	\$ 64,445
Whitman	109	102	117	151	138	123	0.35%	\$ 6,258
Yakima	1630	1689	1702	1665	1724	1682	4.74%	\$ 85,298
State Total	34499	34203	35000	36529	37241	35494	100%	\$ 1,800,000
						12.85%	Percentage increase in current 5 year average	